Washington, Wednesday, November 9, 1955

### TITLE 3—THE PRESIDENT **EXECUTIVE ORDER 10643**

CREATING AN EMERGENCY BOARD TO INVES-TIGATE DISPUTES BETWEEN THE ALBANY PORT DISTRICT RAILROAD AND OTHER CARRIERS AND CERTAIN OF THEIR ELI-PLOYEES

WHEREAS disputes exist between the Albany Port District Railroad and other carriers represented by the Eastern, Western and Southeastern Carriers' Conference Committees, designated in list A attached hereto and made a part hereof, and certain of their employees represented by the cooperating (nonoperating) railway labor organizations. designated in list B attached hereto and made a part hereof, on the subject of certain wage demands made by the employees; and

WHEREAS disputes exist between the Albany Port District Railroad and other carriers represented by the Eastern, Western and Southeastern Carriers' Conference Committees, designated in list C attached hereto and made a part hereof, and certain of their employees represented by the cooperating (nonoperating) railway labor organizations designated in list D attached hereto and made a part hereof, on the subject of demands of the employees for changes in agreements covering health and welfare benefits; and

WHEREAS these disputes have not heretofore been adjusted under the provisions of the Railway Labor Act, as amended; and

WHEREAS these disputes, in the judgment of the National Mediation Board. threaten substantially to interrupt interstate commerce to a degree such as to deprive the country of essential transportation service:

NOW THEREFORE, by virtue of the authority vested in me by section 10 of the Railway Labor Act, as amended (45 U. S. C. 160) I hereby create a board of three members, to be appointed by me, to investigate the said disputes. No member of the said board shall be pecumarily or otherwise interested in any organization of employees or any carrier.

The board shall report its findings to the President with respect to the said dispute within thirty days from the date of this order.

As provided by section 10 of the Railway Labor Act, as amended, from this date and for thirty days after the board has made its report to the President, no change, except by agreement, shall be made by the Albany Port District Railroad and other carriers represented by the Eastern, Western and Southeastern Carriers' Conference Committees or their employees in the conditions out of which the said dispute arose.

DWIGHT D. EISENHOWER

THE WHITE HOUSE. November 7, 1955.

LIST A EASTERN REGION Akron & Barberton Belt Railroad Company Akron, Canton & Youngstown Railroad Co. Ann Arbor Railroad Company Baltimore & Ohio Railroad Company: B & O Chicago Terminal Railroad Co. Curtis Bay Railroad Dayton and Union Railroad Staten Island Rapid Transit Railway Co. Strouds Creek and Muddlety Railroad Co. Bessemer & Lake Eric Railroad Company Boston & Maine Railroad Boston Terminal Corporation Brooklyn Eastern District Terminal Bush Terminal Railroad Company Canadian National Railways: Canadian National Rys.—Lines in N. E. United States & Canada Railroad Champlain & St. Lawrence Railroad Canadian National Rys.—State of N. Y. St. Clair Tunnel Company Canadian Pacific Railway Company Central Railroad Company of New Jercey: New York and Long Branch Railroad Co. Central Vermont Railway, Inc. Chicago, Indianapolis & Louisville Ry. Co. Chicago Union Station Company Cincinnati Union Terminal Company Dayton Union Railway Company Delaware & Hudson Railroad Corporation Delaware, Lackawanna & Western Railroad Co. Detroit & Toledo Shore Line Railroad Co. Detroit Terminal Railroad Company Detroit, Toledo & Ironton Railroad Company Erie Railroad Company Grand Trunk Western Railroad Company Indianapolis Union Railway Company

### (Continued on p. 8361)

Lehigh and New England Railroad Company

Lake Terminal Railroad Company

Lehigh Valley Railroad Company

Maine Central Railroad Company: Portland Terminal Company

Long Island Railroad Company

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New York Central System:
New York Central Railroad—Full Line
New York Central Railroad—Buffalo & East:

Buffalo Stock Yards Grand Central Terminal

New York Central Railroad-West of Buffalo -

Michigan Central Railroad

Cleveland, Cincinnati, Chicago & St. Louis

Peoria & Eastern Railway Louisville & Jeffersonville Bridge &

R. R. Co. Boston & Albany Railroad Indiana Harbor Belt Railroad Chicago River & Indiana Railroad: Chicago Junction Railway

Pittsburgh & Lake Erie Railroad: Lake-Erie & Eastern Railroad

Cleveland Union Terminals Company Troy Union Railroad Company New York, Chicago & St. Louis Railroad

Company New York Dock Railway

New York, New Haven & Hartford Railroad Company

New York, Susquehanna & Western Railroad Company

Pennsylvania Railroad Company:

Baltimore & Eastern Railroad Company Pittsburgh & West Virginia Railway Company Pittsburgh, Chartiers & Youghiogheny Ry.

Railroad Perishable Inspection Agency Reading Company:

Philadelphia Reading & Pottsville Telegraph Co.

graph Co.

River Terminal Railway Company
Toledo Terminal Railway Company
Union Depot Company (Columbus, Ohio)
Union Freight Railroad Company (Boston) Union Inland Freight Station
Union Railroad Company (Pittsburgh)
Washington Terminal Company
Western Allegheny Railroad Company Youngstown & Northern Railroad Company

### WESTERN REGION

Alton and Southern Railroad Atchison, Topeka and Santa Fe Ry.. Gulf, Colorado and Santa Fe Ry. Panhandle and Santa Fe Ry. Belt Railway Company of Chicago Camas Prairie Railroad

Chicago & Eastern Illinois Railroad Chicago & Illinois Midland Railway Chicago & North Western Railway Chicago & Western Indiana Railroad

Chicago, Burlington & Quincy Railroad Chicago Great Western Railway Chicago, Milwaukee, St. Paul & Pacific Rail-

Chicago, Rock Island & Pacific Railroad: Joint Texas Div.—CRI&P RR—FtW&D Ry. Chicago, St. Paul, Minneapolis and Omaha

Colorado and Southern Ry. Colorado & Wyoming Rallway
Denver and Rio Grande Western Railroad
Denver Union Terminal Ry.
Des Moines Union Ry.

Deluth, Missabe and Iron Range Ry.
Duluth, South Shore and Atlantic Railroad
Duluth Union Depot and Transfer Co.
Duluth, Winnipeg & Pacific Ry.
Eigin, Joliet & Eastern Ry.
Ei Paso Union Pacsenger Depot Co.

Fort Worth and Denver Ry.
Galveston, Houston and Hendercon RR
Great Northern Railway
Green Bay and Western Railroad:

Kewaunee, Green Bay and Western Rall-

Gulf Coast Lines:
Asherton & Gulf Ry.
Asphalt Belt Ry.
Beaumont, Sour Lake & Western Ry.
Houston & Brazes Valley Ry. Houston North Shore Ry. New Orleans, Texas & Mexico Ry.
New Orleans, Texas & Mexico Ry.
Orange & Northwestern RR. Rio Grande City Ry.

St. Louis, Brownsville & Mexico Ry. San Antonio Southern Ry. San Antonio, Uvalde & Gulf RR. San Benito & Rio Grande Valley Ry. Sugar Land Railway

Houston Belt & Terminal Ry. Illinois Central Railroad Illinois Terminal Railroad International-Great Northern Railroad

Kansas City Southern Railway: Arkansas Western Railway

Fort Smith and Van Buren Railway Kansas City, Shreveport Gulf Terminal Co. Joplin Union Depot Kansas City Terminal Railway Los Angeles Junction Railway

Litchfield and Madison Railway Louisiana & Arkansas Railway Manufacturers Railway Midiand Valley Railroad: Kansas, Oklahoma & Gulf Railway

Oklahoma City-Ada-Atoka Railway Minneapolis & St. Louis Railway:

Railway Transfer Co. of the City of Minneapolis Minneapolis, St. Paul & Sault Ste. Marie

Railroad

Minnesota Transfer Rallway Missouri-Kansas-Texas Railroad: Missouri-Kansas-Texas RR of Texas Beaver, Meade and Englewood RR Missouri Pacific Railroad:

Missouri-Illinois Railroad Northern Pacific Railway Northern Pacific Terminal Co. of Oregon Northwestern Pacific Railroad Ogden Union Railway and Depot Co. Oregon, California and Eastern Ry. Peoria and Pekin Union Railway Port Terminal Railroad Association Pueblo Joint Interchange Bureau St. Joseph Terminal Railroad

St. Louis-San Francisco Railway: St. Louis, San Francisco and Texas Rallway St. Louis Southwestern Railway:

St. Louis Southwestern Ry. Co. of Texas St. Paul Union Depot Co. San Diego and Arizona Eastern Railway Sioux City Terminal Railway Southern Pacific Company (Pacific Lines)

Spokane, Portland and Scattle Railway:

Oregon Electric Rallway Oregon Trunk Rallway Terminal Rallroad Accordation of St. Louis

Texarkana Union Station Trust Co.

Texas and New Orleans Railroad Texas and Pacific Railway: Abilene & Southern Railway Fort Worth Belt Railway Texas New Mexico Railway

Texas Short Line Rallway Weatherford, Mineral Wells & North Western Rv.

Texas Mexican Rallway TP-MP Terminal Railroad of New Orleans

Toledo, Peoria & Western Railroad Union Pacific Railroad Union Railway (Memphis) Union Terminal Co. (Dallas)

Wabash Rallroad

Western Pacific Railroad Western Weighing & Inspection Bureau

### EQUTHEASTERN REGION

Atlantic Coast Line Railroad Company

Atlanta & West Point:
Western Rallway of Alabama
Atlanta Joint Terminals
Augusta Union Station Birmingham Southern Railroad Company Central of Georgia Rallway Company
Charleston & Western Carolina Rallway Co.
Checapeake & Ohio Rallway Company
Clinchfield Rallroad Company

Florida East Coast Railway Company Georgia Railroad

Gulf, Lioblic & Ohio Railroad Company Jacksonville Terminal Company Kentucky & Indiana Terminal Railroad Louisville & Nashville Railroad

Nachville, Chattanooga & St. Louis Railway Norfolk Southern Railway Company Norfolk & Portsmouth Belt Line Roalroad Co. Norfolk & Western Railway Company

Richmond, Fredericksburg & Potomac Railroad Co.. Richmond Terminal Railway Co.

Potomac Yard Seaboard Air Line

Southern Rallway: Alabama Great Southern Rallway Company Cincinnati, New Orleans & Texas Pacific

Ry. Georgia Southern & Florida Rallway Harriman & Northeastern Rallroad Com-

New Orleans & Northeastern Railroad Co. New Orleans Terminal Company St. Johns River Terminal Tenneccee Central Railway Company

Virginian Rallway Company

1955 WAGE MOVEMENT—COOPERATING BAILWAY LABOR ORGANIZATIONS

International Association of Machinists International Brotherhood of Boilermakers, Iron Ship Builders, Blacksmiths, Forgers and Helpers

Sheet Metal Workers' International Association

International Brotherhood of Electrical

Brotherhood of Railway Carmen of America International Brotherhood of Firemen, Oilers, Helpers, Roundhouse and Railway Shop Laborers

Brotherhood of Rollway and Steamship Clerks, Freight Handlers, Express and Station Employees

Brotherhood of Maintenance of Way Employes

The Order of Railroad Telegraphers Brotherhood of Railroad Signalmen of Amer-

Hotel and Rectaurant Employes and Bartenders International Union

### LIST C

### EASTERN REGION

Albany Port District Railroad Company Akron & Barberton Belt Railroad Company Akron, Canton & Youngstown Railroad Co. Akron Union Passenger Depot Company Ann Arbor Lake Michigan Car Ferries Ann Arbor Railroad Company Aroostook Valley Railroad Company Baltimore & Ohio Raliroad Company Baltimore & Ohio Chicago Terminal R. R.

Baltimore & Ohio-N. Y. Terminal Region Curtis Bay Railroad Dayton & Union Railroad Staten Island Rapid Transit Railway Co. Strouds Creek & Muddlety Railroad Bangor & Aroostook Railroad Company Bessemer & Lake Erie Railroad Company Boston & Maine Railroad Company Boston Terminal Company Brooklyn Eastern District Terminal Buffalo Creek Railroad

Bush Terminal Railroad Company Canadian National Railways: Canadian National—State of New York Canadian National—Lines in New England Champlain & St. Lawrence Railroad St. Clair Tunnel Company

United States & Canada Railroad Canadian Pacific Railways in the United States

Canton Railroad Company Central Indiana Railway Company Central Railroad Company of New Jersey New York & Long Branch Railroad Wharton & Northern Railroad Central Vermont Railway, Inc. Cherry Tree & Dixonville Railroad Chicago, Indianapolis & Louisville Railway Chicago Short Line Railway Company Chicago, South Shore & South Bend Rail-

Chicago Union Station Company Cincinnati Union Terminal Company Dayton Union Rallway Company Delaware & Hudson Railroad Corporation Delaware, Lackawanna & Western Railroad

Detroit & Mackinac Railway Company Detroit & Toledo Shore Line Railroad Com-

Detroit Terminal Railroad Company Detroit, Toledo & Ironton Railroad Company East St. Louis Junction Railway Erie Railroad Company Grand Trunk Western Railroad Company Greenwich & Johnsonville Railway Com-

pany Harrisburg Warehouse Company Hoboken Shore Railroad Company
Hudson & Manhattan Railroad Company
Indianapolis Union Railway Company
Ironton Railroad Company Lake Front Dock & Railroad Terminal Com-

Lehigh & Hudson River Railroad Company Lehigh & New England Railroad Company Lehigh Valley Railroad Company

Long Island Railroad Company Maine Central Railroad Company

Portland Terminal Company Manistee & Northeastern Railway Company Maryland & Pennsylvania Railroad Com-

pany Merchants Despatch Transportation Corp. Monongahela Railway Company Montour Railroad Company Mystic Terminal Company New Jersey, Indiana & Illinois Railroad Co. New Jersey & New York Railroad Company New York Central System:

New York Central Railroad: Federal Valley Railroad New York Central Railroad-Buffalo & East:

Grand Central Terminal Buffalo Stock Yards

Boston & Albany Railroad: Railroad Crossing Police Cleveland Union Terminals Company Cleveland, Cincinnati, Chicago & St. Louis

Peoria & Eastern Railway Louisville & Jeffersonville Bridge & R. R.

Chicago River & Indiana Railroad Co.. Chicago Junction Railway Indiana Harbor Belt Railroad Company Michigan Central Railroad Company Pittsburgh & Lake Erie Railroad Lake Erie & Eastern Railroad

Troy Union Railroad Company New York Connecting Railroad Company New York, Chicago & St. Louis Railroad

Company:
Wheeling & Lake Erie
New York Dock Railway
New York, New Haven & Hartford Railroad Company

New York, Susquehanna & Western Railroad

Company Pennsylvania Railroad Company Baltimore & Eastern Railroad Company Pittsburgh Joint Stock Yards Pennsylvania-Reading Seashore Lines Philadelphia Belt Line Railroad Pittsburgh, Allegheny & McKees Rocks Pittsburgh & West Virginia Railway Company Pittsburgh, Chartiers & Youghlogheny Railway Co.

Railroad Perishable Inspection Agency

Reading Company

Philadelphia, Reading & Pottsville Telegraph Co.

River Terminal Railway Company Rutland Railway Corporation
St. Louis & Belleville Electric Railway Com-

pany Toledo Terminal Railroad Company Union Belt of Detroit Union Depot Cómpany of Columbus, Ohio Union Freight Railroad Company (Roston)
Union Inland Freight Station (New York)
Union Railroad Company
Washington Terminal Company

Western Allegheny Railroad Company Western Maryland Railway Company Youngstown & Southern Railway Company

### SOUTHEASTERN REGION

Alabama, Tennessee & Northern Railroad Company Albany Passenger Terminal Company Atlanta Terminal Company Atlantic Coast Line Railroad Company Birmingham Southern Railroad Company Birmingham Terminal Company Carolina & Northwestern Railway Company Blue Ridge Railway Danville & Western Railway High Point, Randleman, Asheboro & Southern

Yadkin Railroad Company Central of Georgia Railway Company Charleston & Western Carolina Railway Company

Chattanooga Station Company Chattanooga Traction Company Chesapeake & Ohlo Railway (Chesapeake Dist.) Company

Pere Marquette District Fort Street Union Depot Columbia Union Station Company Durham Union Station Company Florida East Coast Railway Company Frankfort and Cincinnati Railroad Company Fruit Growers Express Company Gulf, Mobile & Ohio Railroad Company Interstate Railroad Company Jacksonville Terminal Company Kentucky & Indiana Terminal Railroad Macon, Dublin & Savannah Railroad Com-

pany Macon Terminal Company

New York Central Railroad—West of Buff-alo
Boston & Albany Railroad:

Memphis Union Station Company
Meridian Terminal Company
Norfolk & Portsmouth Belt Line Railroad Co. Norfolk & Western Railway Company Norfolk Southern Railway Company Norfolk Terminal Railway Company Richmond, Fredericksburg & Potomac Railroad Co.. Potomac Yard

Richmond Terminal Railway Company Savannah Union Station Company Seaboard Air Line Railway Company Tampa Union Station

Southeastern Demurrage & Storage Bureau

Southern Railway

Alabama Great Southern Railway Company
Cincinnati, New Orleans & Texas Pacific Ry. Georgia Southern & Florida Railway Harriman & Northeastern Railroad Company

New Orleans & Northeastern Railroad New Orleans Terminal Company St. Johns River Terminal Company
State University Railroad Company
Woodstock & Blockton Railway Company
Tennessee Central Railway Company
Valdosta Southern Railroad Company Virginian Railway Company Winston-Salem Southbound Railway Company Winston-Salem Terminal Company

### WESTERN REGION

Alameda Belt Line Alton & Southern Raiiroad American Refrigerator Transit Company Arkansas & Memphis Bridge & Terminal Company

Ashley, Drew & Northern Railway
Atohison, Topeka & Santa Fe Railway
Dining Car Department
Gulf, Colorado & Santa Fe Railway Newton, Kansas Laundry Workers
Oklahoma City Stock Yards Agency
Panhandle & Santa Fe Railway
Tie & Timber Treating Plant:
Somerville, Texas

Albuquerque, New Mexico Atchison Union Depot & Railroad Company Belt Railway Company of Chicago Burlington Refrigerator Express Butte, Anaconda & Pacific Railway Camas, Prairie Railroad Company Central California Traction Company Chicago & Calumet River Railroad Chicago & Eastern Illinois Railroad Chicago & Illinois Midland Railway Chicago & North Western Railway Chicago & Western Indiana Railroad Chicago Car Interchange & Inspection Bu-

reau Chicago, Burlington & Quincy Railroad Chicago Great Western Railway Company Chicago, Milwaukee, St. Paul & Pacific Railroad

Chicago, North Shore & Milwaukee Railway Chicago Produce Terminal Company Chicago Railroad Freight Collection Associa-

Chicago Railways Hotel Ticket Offices Chicago, Rock Island & Pacific Railway Peoria Terminal Company Chicago, St. Paul, Minneapolis & Omaha

Railway Chicago, West Pullman & Southern Colorado & Southern Railway

Colorado & Southern Railway Company Copper Range Company Dallas Car Interchange & Inspection Bur. Davenport, Rock Island & North Western

Ry. Denver & Rio Grande Western Railroad Denver Joint Car Interchange & Inspection Bur.

Denver Union Stock Yards Company Denver Union Terminal Railway Des Moines Union Railway Duluth & Superior Bridge Company Duluth Union Depot & Transfer Company Duluth, Winnipeg & Pacific Railway

East Portland Freight Terminal Eldorado & Wesson Railway Company Elgin, Joliet & Eastern Railway El Paso Union Passenger Depot Escanaba & Lake Superior Railroad Fort Dodge, Des Moines & Southern Railway Fort Worth & Denver Railway Company Galveston, Houston & Henderson Railroad Company Galveston Wharves Great Northern Railway Green Bay & Western Railroad: Kewaunee, Green Bay & Western Railroad Co. Gulf Coast Lines: Asherton & Gulf Railway Asphalt Belt Railway Beaumont, Sour Lake & Western Houston & Brazos Valley Houston North Shore Railway Iberia, St. Mary & Eastern Railway New Iberia & Northern Railroad New Orleans, Texas & Mexico Orange & Northwestern Railroad Rio Grande City Railway St. Louis, Brownsville & Mexico San Antonio Southern San Antonio, Uvalde & Gulf San Benito & Rio Grande Valley Sugar Land Railway Harbor Belt Line (Los Angeles) Houston Belt & Terminal Railway Illinois Central Railroad Company: Chicago & Illinois Western Rallroad Steamer Pelican Illinois Northern Railway Illinois Terminal Bailroad Company International Great Northern Railroad Joint Agency, National Stock Yards, Illinois Joint Railway Agency (South St. Paul)
Joint Texas Division of CRI&P and FW&D
Joliet Union Depot Company
Kansas City Southern Railway Arkansas Western Railway Ft. Smith & Van Buren Railway Joplin Union Depot Company
Kansas City Terminal Railway
Keokuk Union Depot Company
King Street Passenger Station (Seattle) Lake Superior & Ishpeming Railroad Co. Lake Superior Terminal & Transfer Railway LaSalle Street Station Litchfield & Madison Railway Company Longview, Portland & Northern Los Angeles Union Pasilway
Los Angeles Union Passenger Terminal
Louisiana & Arkansas Railway Company
Manistique & Lake Superior Railroad
Manufacturer's Railway McCloud River Railroad Midland Continental Railroad Midland Valley Railroad: Kansas, Oklahoma & Gulf Railway Kansas, Oklahoma & Gulf of Texas Oklahoma City-Ada-Atoka Railway Milwaukee—Kansas City Southern Joint Agency Minneapolis & St. Louis Railway: Railway Transfer Co. City of Minneapolis Minneapolis, Northfield & Southern: Electric Short Line Minneapolis, St. Paul & Sault Ste Marie RR Duluth, South Shore & Atlantic Railway Minnesota Transfer Railway Minnesota Western Railway Company Missouri & Illinois Bridge & Belt Railroad Co. Missouri-Kansas-Texas Railroad Company; Beaver, Meade & Englewood Missouri-Kansas-Texas Railroad Co. of

Missouri Pacific Railroad:

Missouri-Illinois Railroad Sedalia Reclamation Plant

Missouri Produce Yards (Kansas City, Mo.) Modesto & Empire Traction Company Montana Western Railway Company Mount Hood Railway Company Municipal Bridge of Saint Louis Natchez & Southern Railway Northeast Oklahoma Railroad Company Northern Pacific Railway Northern Pacific Terminal Company of Oregon Northern Refrigerator Line, Inc. North Pacific Coast Freight Bureau Northwestern Pacific Railroad
Oakland Terminal Railway Company
Ogden Union Railway & Depot Company
Oregon, California & Eastern Railway Pacific Car Demurrage Bureau Pacific Coast Railroad Company Pacific Electric Railway
Pacific Fruit Express Company
Paducah & Illinois Railroad Company Peoria & Pekin Union Rallway Port Terminal Railroad Accociation (Hous-Pueblo Joint Interchange Pueblo Union Depot & Railroad Company Pullman Company Quanah, Acme & Pacific Roscoe, Snyder & Pacific Railway Company St. Joseph Terminal Railroad Company St. Joseph Union Depot Company Sacramento Northern Rallway St. Louis-San Francisco Railway Co... St. Louis, San Francicco & Texas Railway
Co. St. Louis Southwestern Railway: St. Louis Southwestern Railway Co. of Texas St. Paul Union Depot Company Salt Lake City Union Depot & Railroad Salt Lake Union Stock Yards San Antonio Joint Car Interchange Accela-San Diego & Arizona Eastern Railway Sand Springs Railway Company Sioux City Terminal Railway Southern Pacific Company (Pacific Lines) South Omaha Terminal Railway Spokane International Railway Spokane, Portland & Seattle Rallway: Oregon Electric Rallway Oregon Trunk Railway Stock Yards District Agency (Chicago) Sun Valley Operations Superintendents' Association—St. Louis-E. St. Louis (Term. Dist.) Terminal Railroad Association of St. Louis Texarkana Union Station Trust Texas & New Orleans Railroad Texas & Pacific Railway: Abilene & Southern Railway Fort Worth Belt Railway Texas-New Mexico Railway Texas Short Line Railway Weatherford, Mineral Wells & Northwestern Ry. Texas City Terminal Rallway Company Texas Mexican Railway Company Texas Pacific-Missourl Pacific Term. RR of New Orleans Tidewater Southern Rallway Company Toledo, Peoria & Western Railroad Trans-Continental Freight Bureau Tulsa Union Depot Company Union Pacific Railroad Company
Union Pacsenger Depot Company (Galveston)
Union Railway Company (Memphis)
Union Terminal Company (Dallas)
Union Terminal Railway Co. (St. Jeseph,

Mo.).
St. Joseph Belt Railway Company
Utah Railway (D. & R. G. W.)
Wabash Railroad Company

Western Fruit Express Company

Walla Walla Valley Rallway Company

Western Pacific Railroad Western Weighing & Inspection Bureau Wichita Terminal Association Wichita Union Terminal Railway Yakima Valley Transportation Company

LIST D 1955 HEALTH AND WELFARE MOVEMENT-COOPERATING PAILWAY LABOR ORGANIZATIONS International Accordation of Machinists International Brotherhood of Bollermakers, Iron Ship Builders, Blacksmiths, Forgers and Helpers Sheet Metal Workers' International Associa-International Brotherhood of Electrical Workers
Brotherhood Railway Carmen of America
International Brotherhood of Firemen,
Ollers, Helpers, Roundhouse and Railway Shop Laborers Brotherhood of Railway and Steamship Clerks, Preight Handlers, Express and Station Employes Brotherhood of Maintenance of Way Employes The Order of Railroad Telegraphers Brotherhood of Railroad Signalmen of America National Marine Engineers' Beneficial Asso-International Longaboremen's Association [F. R. Doc. 55-9124; Filed, Nov. 8, 1955; 12:03 p. m.]

### **EXECUTIVE ORDER 10644**

Administration of Title II of the International Claims Settlement Act of 1949, as Americed, Relating to the Vesting and Liquidation of Bulgarian, Hungarian, and Rumanian Peoperty

By virtue of the authority vested in me by Title II of the International Claims Settlement Act of 1949, as added by Public Law 285, 84th Congress, approved August 9, 1955 (69 Stat. 562) and by section 301 of title 3 of the United States Code, and as President of the United States, it is ordered as follows:

SECTION 1. The Attorney General, and, as designated by the Attorney General for this purpose, any Assistant Attorney General are hereby designated and empowered to perform the functions conferred by the said Title II of the International Claims Settlement Act of 1949 upon the President, and the functions conferred by that title upon any designee of the President.

Sec. 2. The Attorney General is hereby designated as the officer in whom property shall vest under the said Title II.

Sec. 3. As used in this order, the term "functions" includes duties, powers, responsibilities, authority, and discretion, and the term "perform" may be construed to include "exercise"

DWIGHT D. EISERHOWER

THE WHITE HOUSE,
November 7, 1955.

[F. R. Doc. 55-9123; Filed, Nov. 8, 1955; 12:03 p. m.]

### RULES AND REGULATIONS

### TITLE 5—ADMINISTRATIVE **PERSONNEL**

Chapter I-Civil Service Commission

PART 6-EXCEPTIONS FROM THE COMPETITIVE SERVICE

TREASURY DEPARTMENT

Effective upon publication in the Feb-ERAL REGISTER, paragraph (h) of § 6.101 is amended as set out below.

§ 6.101 Entire executive civil service

(h) Any position in a foreign country, or beyond the continental limits of the United States, when in the opinion of the-Commission, appointment through competitive examination is impracticable, except as provided in paragraph (i) of this section and except: Positions ın Alaska, Hawaii, Puerto Rico, and the Virgin Islands; in the Immigration and Naturalization Service, all positions in Canada and Mexico, and continuing positions at GS-7 and above in Cuba, positions in the Bureau of Customs, Treasury Department, in foreign countries; General Accounting Office positions in foreign countries; positions in the International Field Offices of the Civil Aeronautics Administration, Department of Commerce; technical positions in foreign countries in the Internal Revenue Service, Treasury Department.

(R. S. 1753, sec. 2, 22 Stat. 403; 5 U. S. C. 631, 633; E. O. 10440, March 31, 1953, 18 F. R. 1823, 3 CFR 1953 Supp.)

United States Civil Serv-ICE COMMISSION, [SEAL] WM. C. HULL, Executive Assistant.

[F. R. Doc. 55-9029; Filed, Nov. 8, 1955; 8:52 a. m.]

### TITLE 9-ANIMALS AND ANIMAL PRODUCTS

Chapter 1-Agricultural Research Service, Department of Agriculture

Subchapter C-Interstate Transportation of Animals and Poultry

[B. A. I. Order 383, Revised, Amdt. 64]

PART 76-HOG CHLOREA, SWINE PLAGUE, AND OTHER COMMUNICABLE SWINE DISEASES

SUBPART B-VESICULAR EXANTHEMA CHANGES IN AREAS QUARANTINED

Pursuant to the provisions of sections 1 and 3 of the act of March 3, 1905, as amended (21 U.S. C. 123, 125) sections 1 and 2 of the act of February 2, 1903, as amended (21 U.S. C. 111-113, 120), and section 7 of the act of May 29, 1884, as amended (21 U.S. C. 117) § 76.27, as amended, Subpart B, Part 76, Title 9, Code of Federal Regulations (20 F R. 2881, 2973, 3499, 3931, 4397, 4841, 5256, 5709, 6076, 6575, 7134, 7897) which contains a notice with respect to the States in which swine are affected with vesicular exanthema, a contagious, infectious.

and communicable disease, and which quarantines certain areas in such States because of said disease, is hereby further amended in the following respects:

1. Subparagraph (7) of paragraph (a) relating to Sacramento County in California, is deleted.

2. A new subdivision (v) is added to subparagraph (13) of paragraph (d) relating to Hunterdon County in New Jersey, to read:

### (v) Clinton Township.

Effective date. The foregoing amendment shall become effective upon issu-

The amendment excludes certain areas in California and New Jersey from the areas heretofore quarantined because of vescular exanthema. Hereafter, the restrictions pertaining to the interstate movement of swine, and carcasses, parts and offal of swine, from or through quarantined areas, contained in 9 CFR, 1954 Supp., Part 76, Subpart B, as amended, will not apply to such areas. However, the restrictions pertaining to such movement from non-quarantined areas, contained in said Subpart B, as amended, will apply thereto.

The amendment relieves certain restrictions presently imposed, and must be made effective immediately to be of maximum benefit to persons subject to the restrictions which are relieved. Accordingly, under section 4 of the Administrative Procedure Act (5 U.S. C. 1003) it is found upon good cause that notice and other public procedure with respect to the amendment are impracticable and contrary to the public interest, and the amendment may be made effective less than 30 days after publication in the FEDERAL REGISTER.

(Sec. 2, 32 Stat. 792, as amended; 21 U. S. C. 111. Interprets or applies secs. 4, 5, 23 Stat.32, sec. 1, 32 Stat. 791; 21 U. S. C. 120)

Done at Washington, D. C., this 3d day of November 1955.

B. T. SHAW, Administrator

Agricultural Research Service.

[F. R. Doc. 55-8993; Filed, Nov. 8, 1955; 8:46 a. m.]

### TITLE 20—EMPLOYEES' **BENEFITS**

### Chapter II-Railroad Retirement Board

345—Employers' Contributions AND CONTRIBUTION REPORTS

PLACE AND TIME FOR FILING EMPLOYERS' CONTRIBUTION REPORTS

Pursuant to the general authority contained in section 12 of the act of June 25, 1938 (52 Stat. 1094, 1107: 45 U.S.C. 362) § 345.9' is amended by the addition of subsection (c) to the regulations of the Railroad Retirement Board under such act (4 F R. 4370; 8 F R. 11894; 9 F. R. 3192; 17 F R. 2303; 19 F R. 7264) by Board Order 55-297, dated October 19, 1955, to read as follows:

§ 345.9 Place and time for filing employers' contribution reports. \* \* \*

(c) If there is a delay in the filing of a contribution report, the director of fiscal accounts may set a later date for filing, if, in his judgment, (1) the delay is due to reasonable cause, (2) the amount of interest payable for the delinquency represents a charge totally disproportionate to the period of delay and (3) the employer's previous record for submission of reports warrants such action.

(Section 12, 52 Stat. 1107, as amended; 45 Ù. S. C. 362)

Dated: November 3, 1955.

By authority of the Board.

LAWRENCE GARLAND, Acting Secretary of the Board.

JF. R. Doc. 55-8991; Filed, Nov. 8, 1965; 8:45 a. m.1

### TITLE 7-AGRICULTURE

Chapter IX-Agricultural Marketing Service (Marketing Agreements and Orders), Department of Agriculture

[Docket No. AO-2431

PART 908—MILK IN CENTRAL ARKANSAS MARKETING AREA

SUBPART-ORDER REGULATING HANDLING

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AUTHORITY: §§ 908.0 to 908.111 issued under sec. 5, 49 Stat. 753, as amended: 7 U.S.C. 608c.

§ 908.0 Findings and determinations The findings and determinations hereinafter set forth are supplementary and in addition to the findings and determinations previously made in connection with the issuance of the aforesaid order and all of said previous findings and determinations are hereby ratified and affirmed, except insofar as such findings and determinations may be in conflict with findings and determinations set forth herein.

(a) Findings upon the basis of the hearing record. Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S. C. 601 et seq.) and the applicable rules of practice and procedure, as amended, governing the formulation of marketing agreements and marketing orders (7 CFR Part 900) a public hearing was held upon a proposed marketing agreement and order, regulating the handling of milk in the Central Arkansas marketing area. Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:

(1) The said order and all of the terms and conditions thereof will tend to effectuate the declared policy of the Act:

(2) The parity prices of milk as determined pursuant to section 2 of the Act are not reasonable in view of the price

of feeds, available supplies of feeds, and other economic conditions which affect market supply of and demand for mill: in the marketing area, and the minimum prices specified in the order are such prices as will reflect the aforecald factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest: and

(3) The said order regulates the handling of milk in the same manner as, and is applicable only to persons in the respective classes of industrial and commercial activity, specified in a marketing agreement upon which a hearing has been held.

(4) All milk and milk products handled by handlers, as defined in this order, are in the current of interstate commerce or directly burden, obstruct or affect interstate commerce in mill: or its products; and

(5) It is hereby found that the necessary expenses of the market administrator for the maintenance and functioning of such agency will require the payment by each handler as his pro rata share of such expenses, 4 cents per hundredweight, or such amount not exceeding 4 cents per hundredweight, as the Secretary may prescribe with respect to all butterfat and skim milk contained in (i) producer milk, (ii) other cource milk allocated to Class I milk pursuant to § 908.41 (a), or (iii) Class I milk disposed of in the marketing area (except to a pool plant) from a nonpool plant as determined pursuant to § 908.62.

(b) Additional findings. (1) In view of the fact that this order constitutes the original imposition of a regulatory program of this nature for the market, the provisions other than those relating to prices and payments to producers should be put into effect prior to the effective date of the entire order to afford handlers an opportunity to make any necessary changes in their accounting procedure or other adjustments as required to conform with all provisions of the order. Reasonable time will have been afforded interested parties to prepare to comply with the aforesaid provisions.

(2) The public hearing on which this order is based was conducted January 4-12, 1955. The recommended decision of the Deputy Administrator, Agricultural Marketing Service, was published in the Federal Register on July 20, 1955 (20 F. R. 5166) The final decision was issued by the Assistant Secretary of Agriculture on October 7, 1955 and published in the FEDERAL REGISTER on October 13, 1955. Handlers have known of the impending requirements of the order and have had adequate time to prepare to comply with such requirements.

(3) Furthermore, marketing conditions continue to remain unstabilized each day the effective date of the order is delayed. The order provides that payments to producers during the months February through July be based on their average daily deliveries of mill: to handlers during the months October 1955 through January 1956.

(4) It is hereby found and determined in view of the aforesaid facts and circumstances that good cause exists for making §§ 908.1 through 908.20; 908.25 through 903.27; 908.30 through 908.33; 903.40 through 903.45; 903.60, 908.61, 908.87; 908.90 through 903.92; 908.100 through 908.103: 908.110 and 908.111 effective on November 15, 1955, and that it would be contrary to the public interest to delay such effective date beyond that specified. (See Sec. 4 (c) Administrative Procedure Act, 5 U.S. C. 1091 et sea.)

(c) Determinations. It is hereby determined that handlers (excluding cooperative associations of producers who are not engaged in processing, distributing, or shipping milk covered by this order) of more than 50 percent of the milk covered by this order, which is marketed within the Central Arkansas marketing area refused or failed to sign the proposed marketing agreement regulating the handling of milk in the said marketing area and it is hereby further determined that:

(1) The refusal or failure of such handlers to sign said proposed marketing agreement tends to prevent the effectuation of the declared policy of the act:

(2) The issuance of this order, is the only practical means pursuant to the declared policy of the act of advancing the interests of producers of milk which produced for sale in the marketing area; and

(3) The issuance of this order is approved or favored by at least two-thirds of the producers who participated in a referendum thereon, and who during the determined representative period August, 1955, were engaged in the production of milk for sale in the said marketing area.

(4) It is hereby ordered that the full text of the order, he published in the FEDERAL REGISTER.

(5) Sections 908.1 through 908.20; 908.25 through 908.27; 908.30 through 908.33; 908.40 through 903.45; 908.60, 908.61, 908.87; 908.90 through 908.92; 908.100 through 908.103; 908.110 and 908.111 shall be effective on and after the 15th day of November, 1955, and the entire order (§§ 908.1 through 903.111) shall be effective on and after the first day of December, 1955.

### DEFINITIONS

Act. "Act" means Public § 903.1 Act No. 10, 73d Congress, as amended and as re-enacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S. C. 601 et seg.)

§ 903.2 Secretary. "Secretary" means the Secretary of Agriculture or any officer or employee of the United States who is authorized to exercise the powers or to perform the duties of the Secretary of Agriculture.

§ 903.3 Department of Agriculture. "Department of Agriculture" means the United States Department of Agriculture, or such other Federal agency as may be authorized to perform the price reporting functions specified in this part.

§ 908.4 Central Arkansas Marketing Area. "Central Arkansas Marketing Area" hereinaster called the "Marketing Area" means all territory included within the boundaries of the counties of Pulaski, Josephson, Faulkner, White, Arkansas.

§ 908.5 Person. "Person" means any individual, partnership, corporation, association or other business unit.

§ 908.6 Producer "Producer" means any person other than a producer-handler, who produces milk in compliance with Grade A inspection requirements of a duly constituted health authority which milk is received during the month at a pool plant: Provided. That if such milk is diverted from a pool plant by a handler to a nonpool plant for his account any day during the months of February through August, or on not more than 10 days during any other month, the milk so diverted shall be deemed to have been received at a pool plant at the location of the plant from which diverted.

§ 908,7 Approved plant. "Approved plant" means all of the buildings, prem-ises and facilities of a plant (a) in which milk or skim milk is processed or packaged and from which any fluid milk product is disposed of during the month on routes (including routes operated by vendors and sales through plant stores) to wholesale or retail outlets (except pool plants) located in the marketing area, or (b) from which milk or skim milk eligible for distribution in the marketing area under a Grade A label is shipped during the month to a distributing plant.

§ 908.8 Distributing plant. "Distributing plant" means an approved plant-from which Class I milk equal to not less than 50 percent of its receipts of producer milk and fluid milk products from other pool plants is disposed of during the month, on routes or through plant stores, to wholesale or retail outlets (except pool plants) and from which Class I milk equal to not less than 10 percent of such receipts is disposed of during the month on routes or through plant stores, to wholesale or retail outlets (except pool plants) located in the marketing area.

§ 908.9 Supply plant. "Supply plant" means an approved plant from which fluid milk products equal to not less than 50 percent of its receipts of producer milk during the month are shipped during such month to distributing plants: Provided, That any plant which qualifies as a supply plant for each of the months during the period August through January shall, upon written application to the market administrator. on or before the end of such period, be designated as a supply plant for the following months of February through July.

§ 908.10 Pool plant. "Pool plant" means a distributing plant, or a supply plant, except a plant of a producer-

§ 908.11 Nonpool plant. "Nonpool plant" means any milk, manufacturing or processing plant other than a pool

§ 908.12 Handler "Handler" means: (a) A cooperative association with respect to milk of producers diverted for the account of such association from a

Clark and Garland, all in the State of pool plant to a nonpool plant in accordance with the provisions of § 908.6; or

> (b) Any person in his capacity as the operator of one or more approved plants: Provided, That if a person operates more than one pool plant he may, upon written application to the market administrator, be considered as a separate handler for the month with respect to one or more of his pool plants if no fluid milk products or producers are transferred during the month between such plant(s) and other pool plant(s) of such handler.

Cooperative association. § 908.13. "Cooperative association" means any cooperative association of producers which the Secretary determines:

(a) To be qualified under the provisions of the Act of Congress of February 18, 1922, as amended, known as the "Capper-Volstead Act" and

(b) To have and to be exercising full authority in the sale of milk of its mem-

Producer-handler ducer-handler" means any person who operates a dairy farm and a distributing plant which during the month has no other source milk or producer milk.

§ 908.15 Producer milk. "Producer milk" means only that skim milk or butterfat contained in milk (a) received at the plant directly from producers, or (b) diverted from a pool plant to a nonpool plant (except a nonpool plant which is fully subject to the pricing provisions of another order issued pursuant to the act) in accordance with the provisions of § 908.6.

§ 908.16 Fluid milk product. "Fluid milk product" means milk, skim milk, buttermilk, flavored milk, flavored milk drinks, yogurt, cream, or any mixture in fluid form of milk, skim milk and cream (except sterilized products packaged in hermetically sealed containers, eggnog, ice cream mix and aerated cream)

§ 908.17 Other source milk. "Other source milk" means all skim milk and butterfat contained in: (a) Receipts during the month of fluid milk products except (1) fluid milk products received from pool plants, or (2) producer milk; and (b) products, other than fluid milk products, from any source (including those produced at the plant) which are reprocessed or converted to another product in the plant during the month.

"Base milk" § 908.18 Base milk means milk received at pool plants from a producer during any of the months of February through July which is not in excess of such producer's daily average base computed pursuant to § 908.90 multiplied by the number of days in such month.

§ 908.19 Excess milk. "Excess milk" means milk received at pool plants from a producer during any of the months of February through July which is in excess of the base milk of such producer for such month, and shall include all milk received during such months from a producer for whom no daily average base can be computed pursuant to § 908.90.

§ 908.20 Chicago butter price. "Chicago butter price" means the simple average as computed by the market administrator of the daily wholesale selling prices (using the midpoint of any range as one price) per pound of 92score bulk creamery butter at Chicago as reported during the month by the Department of Agriculture.

### MARKET ADMINISTRATOR

Designation. The agency for the administration of this part shall be a market administrator, selected by the Secretary, who shall be entitled to such compensation as may be determined by, and shall be subject to removal at the discretion of, the Secretary.

§ 908.26 Powers. The market administrator shall have the following powers with respect to this part:

(a) To Administer its terms and provisions:

(b) To make rules and regulations to effectuate its terms and provisions;

(c) To receive, investigate, and report to the Secretary complaints of violations; and

(d) To recommend amendments to the Secretary.

§ 908.27 Duties. The market administrator shall perform all duties neces-sary to administer the terms and provisions of this part, including, but not limited to the following:

(a) Within 30 days following the date on which he enters upon his duties, or such lesser period as may be prescribed by the Secretary, execute and deliver to the Secretary a bond, effective as of the date on which he enters upon his duties, and conditioned upon the faithful performance of such duties, in an amount and with surety thereon satisfactory to the Secretary;

(b) Employ and fix the compensation of such persons as may be necessary to enable him to administer its terms and provisions:

(c) Obtain a bond in a reasonable amount and with reasonable surety thereon covering each employee who handles funds entrusted to the market administrator '

(d) Pay out of the funds received pursuant to § 908.86: (1) The cost of his bond and of the bonds of his employees, (2) his own compensation, and (3) all other expenses (except those incurred under § 908.85) necessarily incurred by him in the maintenance and functioning of his office and in the performance of his duties:

(e) Keep such books and records as will clearly reflect the transactions provided for in this section, and, upon request by the Secretary, surrender the same to such other person as the Sec-

retary may designate;

(f) Publicly disclose to handlers and producers, at his discretion, unless otherwise directed by the Secretary, the name of any handler who, after the date on which he is required to perform such acts. has not made reports pursuant to §§ 908.30 and 908.31 or payments pursuant to §§ 908.80 through 908.86.

(g) Submit his books and records to examination by the Secretary and furnish such information and reports as may be requested by the Secretary.

(h) On or before the 12th day after the end of each month, report to each cooperative association which so requests, the percentage of producer milk delivered by members of such association which was used in each class by each handler receiving such milk. For the purpose of this report the milk so received shall be prorated to each class in accordance with the total utilization of producer milk by such handler;

(i) Verify all reports and payments of each handler by audit of the records of such handler or any other handler or person to whom skim milk and butterfat are transferred, or by such other means

as are necessary.

(j) Prepare and make available for the benefit of producers, consumers, and handlers, general statistics and information concerning the operation of this order which do not reveal confidential information; and

(k) On or before the date specified publicly announce, and mail to each handler at his last known address a notice of

the following:

(1) The 5th day of each month, the Class I milk price and the Class I butter-fat differential, both for the current month; and the Class II milk price, and the Class II butterfat differential; both for the preceding month;

(2) The 11th day of each month, the uniform price, and the producer butter-fat differential, both for the preceding

month.

### REPORTS, RECORDS AND FACILITIES

§ 908.30 Reports of sources and utilization. On or before the 7th day after the end of each month each handler, except a producer-handler, shall report for each of his approved plants for such month to the market administrator in the detail and on forms prescribed by the market administrator as follows:

(a) The quantities of skim milk and butterfat contained in:

(1) Producer milk:

Fluid milk products received from other pool plants;

(3) Other source milk;

- (4) Inventories of fluid milk products on hand at the beginning of the month; and
- (b) The utilization of all skum milk and butterfat required to be reported pursuant to paragraph (a) of this section, including separate statements as to the disposition of Class I milk outside the marketing area, and inventories of fluid milk products on hand at the end of the month.

§ 908.31 Other reports. (a) Each producer-handler shall make reports to the market administrator at such time and in such manner as the market administrator may prescribe.

(b) Each handler, except a producerhandler, shall report to the market administrator in the detail and on forms prescribed by the market administrator:

(1) On or before the 7th day of each of the months of March through August the aggregate quantity of base milk received at his pool plant(s) for the preceding month;

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(2) On or before the 20th day after the end of the month, for each of his pool plants, his producer payroll for such month which shall show for each producer: (i) His name and address, (ii) the total pounds of milk received from such producer, including, for the months of February through July, the pounds of base milk, (iii) the days for which milk was received from such producer, if less than the entire month, (i) the average butterfat content of such milk, and (v) the net amount of such handler's payment to the producer, together with the price paid and the amount and nature of any deductions;

(3) On or before the first day other source milk is received in the form of a fluid milk product at his pool plant(s), his intention to receive such product, and on or before the last day such product is received, his intention to discon-

tinue receipt of such product;

(4) On or before the day prior to diverting producer milk pursuant to § 908.6 his intention to divert such milk; the date or dates of such diversion and the nonpool plant to which such milk is to be diverted; and

(5) Such other information with respect to his sources and utilization of butterfat and skim milk as the market

administrator may prescribe.

§ 908.32 Records and facilities. Each handler shall maintain and make available to the market administrator during the usual hours of business such accounts and records of his operations and such facilities as are necessary for the market administrator to verify or establish the correct data for each month with respect to:

(a) The receipt and utilization of all skim milk and butterfat handled in any

form;

(b) The weights and tests for butterfat and other content of all products handled;

(c) The pounds of skim milk and butterfat contained in or represented by all items of products on hand at the beginning and end of each month; and

(d) Payments to producers, including any deductions authorized by producers, and disbursement of money so deducted.

§ 908.33 Retention of records. books and records required under this part to be made available to the market administrator shall be retained by the handler for a period of three years to begin at the end of the calendar month to which such books and records pertain: Provided, That if, within such three-year period, the market administrator notifies the handler in writing that the retention of such books and records, or of specified books and records, is necessary in connection with a proceeding under section 8c (15) (A) of the act or a court action specified in such notice, the handler shall retain such books and records, or specified books and records, until further written notification from the market administrator. In either case, the market administrator shall give further written notification to the handler promptly upon the termination of the litigation or when the records are no longer necessary in connection therewith.

### CLASSIFICATION OF HILE

§ 908.40 Slum mills and butterfat to be classified. The skim milk and butterfat to be reported for pool plants pursuant to § 908.30 (a) shall be classified each month by the market administrator, pursuant to the provisions of §§ 908.41 through 908.45.

§ 903.41 Classes of utilization. Subject to the conditions set forth in §§ 903.42 through 908.45, the classes of utilization shall be as follows:

(a) Class I mill:. Class I mill: shall be all shim mill: and butterfat; (1) disposed of from the plant in the form of fluid mill: products, except those classified pursuant to paragraph (b) (3) of this section, and (2) not specifically accounted for as Class II milk:

(b) Class II mill: Class II mill: shall be all skim milk and butterfat: (1) Used to produce any product other than a fiund mill: product; (2) contained in inventories of fluid mill: products on hand at the end of the month; (3) disposed of as ckim mili: and used for livestock feed: and (4) in shrinkage not to exceed 2 percent respectively of the simm milk and butterfat contained in producer milk (except that diverted pursuant to § 908.6) and other source milk: Provided, That if shrinkage of skim milk or butterfat is less than such 2 percent, it shall be assigned pro rata to the slum milk or butterfat contained in producer milk (except that diverted pursuant to § 900.6) and other source milk respectively.

§ 903.42 Responsibility of handlers. All skim milk and butterfat to be classified pursuant to this part shall be classified Class I milk, unless the handler who first receives such skim milk and butterfat establishes to the satisfaction of the market administrator that it should be classified Class II milk.

§ 908.43 Transfers. (a) Skim milk and butterfat transferred to a pool plant of another handler (except a producerhandler) in the form of fluid milk products shall, to the extent required, be classified so as to result in the maximum assignment of the producer milk of both handlers to Class I mill:. Any additional amounts of skim milk and butterfat shall be classified Class I milk, unless the operators of both plants claim utilization thereof in Class II milk in their reports submitted pursuant to § 908.30: Provided, That the slum milk or butterfat co acsigned to Class II milk for any month shall be limited to the respective amounts thereof remaining in Class II mill: for such month at the pool plant(s) of the receiving handler after the subtraction of other source mill: pursuant to § 908.45.

(b) Skim mill: and butterfat transferred to the plant of a producer-handler in the form of fluid mill: products, shall be classified Class I mill:

(c) Skim milk and butterfat transferred or diverted in bulk form as milk or skim milk to a nonpool plant from which no fluid milk products are distributed on routes and which is located less than 250 miles by the shortest hard surfaced highway distance, as determined by the market administrator, from

the plant from which transferred or diverted shall be classified Class I milk unless, (1) the transferring or diverting handler claims classification in Class II milk in his report submitted to the market administrator pursuant to § 908.30 for the month within which such transaction occurred, (2) the operator of the nonpool plant maintains books and records showing the utilization of all skim milk and butterfat at such plant which are made available if requested by the market administrator for the purpose of verification, and (3) not less than an equivalent amount of skim milk and butterfat was actually utilized in the nonpool plant in the use indicated in such report: Provided, That if it is found that an equivalent amount of skim milk and butterfat was not actually used in such plant during the month in such indicated use, the pounds transferred in excess of such actual use shall be classified Class I milk.

(d) Skim milk and butterfat transferred in bulk form as cream to a nonpool plant shall be classified Class I milk unless. (1) the transferring handler claims classification in Class II milk in his report submitted to the market administrator pursuant to § 908.30, (2) the handler attaches tags or labels to each container of such cream bearing the words "for manufacturing uses only:" (3) the handler gives the market administrator sufficient notice to allow him to verify such Class II disposition in advance, (4) the operator of the nonpool plant maintains books and records showing the utilization of all skim milk and butterfat at such plant which are made available if requested by the market administrator for the purpose of verification, and (5) such cream is not disposed of by the transferee under Grade A label.

§ 908.44 Computation of skim milk and butterfat in each class. For each month, the market administrator shall correct for mathematical and other obvious errors, the reports submitted by each handler pursuant to § 908.30 and compute the total pounds of skim milk and butterfat respectively, in Class I milk and Class II milk at all of the pool plants of such handler: Provided. That the skim milk contained in any product utilized, produced or disposed of by the handler during the month shall be considered to be an amount equivalent to the nonfat milk solids contained in such product, plus all of the water originally associated with such solids.

§ 908.45 Allocation of skim milk and butterfat classified. (a) The pounds of skim milk remaining in each class after making the following computations each month with respect to the pool plant(s) of each handler, shall be the pounds of skim milk in such class allocated to the producer milk of such handler for such month.

- (1) Subtract from the total pounds of skim milk in Class II milk the shrinkage of skim milk in producer milk classified as Class II milk pursuant to § 908.41 (b)
- (2) Subtract from the pounds of skim milk remaining in Class II milk the pounds of skim milk in other source

milk except that to be subtracted pursuant to subparagraph (3) of this paragraph: Provided, That if the pounds of skim milk to be subtracted exceed the remaining pounds of skim milk in Class II milk, the balance shall be subtracted from the pounds of skim milk in Class I milk:

- (3) Subtract from the pounds of skim milk remaining in Class II milk the pounds of skim milk in fluid milk products received in bulk from plants regulated pursuant to other orders issued pursuant to the act, less any equivalent amounts of skim milk\_in other source milk allocated to Class I milk at each of such plants respectively. Provided, That, if the pounds of skim milk to be subtracted exceed the remaining pounds of skim milk in Class II milk, the balance shall be subtracted from the pounds of skim milk in Class I milk.
- (4) Subtract from the pounds of skim milk remaining in Class II milk the pounds of skim milk contained in inventory of fluid milk products on hand at the beginning of the month: Provided, That if the pounds of skim milk in such inventory exceed the remaining pounds of skim milk in Class II milk, the balance shall be subtracted from the pounds of skim milk remaining in Class I milk;
- (5) Subtract the pounds of skim milk in fluid milk products received from pool plants of other handlers from the pounds of skim milk remaining in the class to which assigned, pursuant to § 908.43 (a)

(6) Add to the pounds of skim milk remaining in Class II milk the pounds of skim milk subtracted pursuant to subparagraph (1) of this paragraph;

- (7) If the pounds of skim milk remaining in all classes exceed the pounds of skim milk in milk received from producers, subtract such excess from the pounds of skim milk remaining in the various classes in series beginning with Class II milk.
- (b) Determine the pounds of butterfat in each class to be allocated to producer milk in the manner prescribed in paragraph (a) of this section for determining the allocation of skim milk to producer milk.
- (c) Add the pounds of skim milk and the pounds of butterfat in each class calculated pursuant to paragraphs (a) and (b) of this section and determine the percentage of butterfat in the producer milk allocated to each class.

### MINIMITM PRICES

§ 908.50 Basic formula price. The highest of the prices computed pursuant to paragraphs (a) (b) and (c) of this section, rounded to the nearest whole cent, shall be known as the basic formula price.

(a) To the average of the basic (or field) prices per hundredweight reported to have been paid or to be paid for milk of 3.5 percent butterfat content received from farmers during the month at the following plants or places for which prices have been reported to the market administrator or to the Department of Agriculture:

Present Operator and Location

Borden Company, Mount Pleasant, Mich. Borden Company, New London, Wis.

Borden Company, Orfordville, Wis. Carnation Company, Oconomowoc, Wis. Carnation Company, Richland Center, Wis. Carnation Company, Sparta, Mich. Pet Milk Company, Belleville, Wis. Pet Milk Company, Cooperville, Mich. Pet Milk Company, Hudson, Mich. Pet Milk Company, New Glarus, Wis. Pet Milk Company, Wayland, Mich. White House Milk Company, Manitowoo, Wis.

White House Milk Company, West Bend, Wis.

Add an amount computed by multiplying the Chicago butter price for the month by 0.6.

- (b) The price computed by adding together any plus values computed pursuant to subparagraphs (1) and (2) of this paragraph:
- (1) Multiply the Chicago butter price by 4.8:
- (2) Deduct five cents from the simple average as computed by the market administrator of the weighted averages of carlot prices per pound of nonfat dry milk solids, spray and roller process, respectively, for human consumption, f. o. b. manufacturing plants in the Chicago area, as published for the period from the 26th day of the preceding month through the 25th day of the current month by the Department of Agri-

(c) The price resulting from the following calculations:

culture, and multiply by 7.5.

(1) Multiply by 8.53 the average of the daily prices per pound of cheese at Wisconsin primary markets ("cheddars," f. o. b. Wisconsin assembly points, cars or truckloads) as reported by the Department of Agriculture during the month:

(2) Add 0.902 times the Chicago butter price for the month;

(3) Subtract 34.3 cents; and(4) Add an amount computed by multiplying the Chicago butter price for the month by 0.6.

§ 908.51 Class prices. Subject to the provisions of §§ 908.52 and 908.53, the class prices per hundredweight of milk containing 4.0 percent butterfat shall be determined for each month as follows:

(a) Class I milk price. The Class I milk price shall be the basic formula price for the preceding month, plus \$1.28 from the effective date hereof through August 1955, and for the months of March through August 1956; and plus \$1.68 for the months of September 1955

through February 1956. (b) Class II milk price. For the months of February through July the Class II milk price shall be the price determined pursuant to subparagraph (1) of this paragraph rounded to the nearest cent. For all other months it shall be the basic formula price, or the price determined pursuant to subparagraph (1) of this paragraph, plus 25 cents, whichever is less.

(1) The average of the basic (or field) prices reported to have been paid or to be paid per hundredweight for milk of 4.0 percent butterfat content received from farmers during the month at the following plants or places for which prices have been reported to the market administrator or to the Department of Agriculture on or before the 5th day after the end of the month.

Present Operator and Location

Sugar Creek Creamery, Russellville, Ark. Ozark Creamery Co., Ozark, Ark. Pet Milk Co., Siloam Springs, Ark.

§ 908.52 Butterfat differential to handlers. For milk containing more or less than 4.0 percent butterfat, the class prices calculated pursuant to §908.51 shall be increased or decreased, respectively, for each one-tenth percent butterfat at the appropriate rate determined as follows:

(a) Class I price. Multiply the Chicago butter price for the previous month by 0.12:

(b) Class II price. Multiply the Chicago butter price for the month by 0.11 for the months of February through July, and by 0.115 for all other months.

§ 908.53 Location differentials to handlers. For that milk which is received from producers at a pool plant located 60 miles or more from the city limits of Benton, Arkansas, by shortest highway distance, as determined by the market administrator, and which is transferred to another pool plant in the form of fluid milk products and assigned to Class I milk pursuant to the proviso of this section, or otherwise classified as Class I milk, the price specified in § 908.51 (a) shall be reduced at the rate of 1.5 cents for each 10 miles or residual fraction thereof that such plant is from such city limits where such milk is received from producers; Provided, That for the purpose of calculating such location differential, fluid milk products which are transferred betwen pool plants shall be assigned to any remainder of Class II milk in the plant to which transferred after making the calculation prescribed in § 908.45 (a) (1) through (4) and the comparable steps in paragraph (b) thereof for such plant, such assignment to the transferring plants to be made in sequence according to the location differential applicable at each plant, beginning with the plant having the largest differential.

§ 908.54 Rate of compensatory payments on unpriced milk. The rate of compensatory payment per hundredweight shall be calculated as follows:

(a) For the months of February through July, subtract the Class II milk price, adjusted by the Class II butterfat differential, from the Class I milk price, adjusted by the Class I butterfat differential and in the case of fluid milk products by the Class I location differential.

(b) For the months of August through January, subtract the uniform or the weighted average of the base and excess prices to producers from the Class I milk price.

### APPLICATION OF PROVISIONS

§ 908.60 *Producer-handlers*. Sections 908.40 through 908.45; 908.50 through 908.53; 908.61, 908.62 and 908.70 through 908.75; and 908.80 through 908.87 shall not apply to a producer-handler.

§ 908.61 Plants subject to other Federal orders. A plant specified in paragraphs (a) or (b) of this section shall be a nonpool plant for purposes of this part except that the operator of such plant shall, with respect to the total

receipts and utilization or disposition of skim milk and butterfat at the plant, make reports to the market administrator at such time and in such manner as the market administrator may require (in lieu of the reports required pursuant to § 908.30) and allow verification of such reports by the market administrator.

(a) Any distributing plant which would otherwise be subject to the classification and pricing provisions of another order issued pursuant to the act, unless a greater volume of Class I milk was disposed of from such plant during the six months period immediately preceding to retail or wholesale outlets (except pool plants or nonpool plants) in the Central Arkansas marketing area than in the marketing area regulated pursuant to such other order.

(b) Any supply plant which would otherwise be subject to the classification and pricing provisions of another order issued pursuant to the act, unless such plant qualified as a pool plant for each of the preceding months of August

through January.

(c) In case skim milk or butterfat, which is priced under Federal Order No. 18 for the Memphis, Tennessee, marketing area, is disposed of as Class I milk in the marketing area on a route operated by or for a person subject to regulation as a handler defined in such order, and the price which such handler is required to pay under Federal Order No. 18 for milk which would be classified as Class I milk under this part, is less than the Class I price provided by this part, such handler shall pay to the market administrator for deposit into the producer-settlement fund (with respect to all milk disposed of as Class I milk on routes in the marketing area) an amount equal to the difference between the value as determined pursuant to this part and its value as determined pursuant to Federal Order No. 18.

§ 908.62 Handlers operating nonpool plants. Each handler who is the operator of a nonpool plant which is not subject to the classification and pricing provisions of another order issued pursuant to the act, shall, on or before the 15th day after the end of each month, pay to the market administrator for deposit into the producer-settlement fund an amount calculated by multiplying the total hundredweight of butterfat and skim milk disposed of in the form of fluid milk products from such nonpool plant to retail or wholesale outlets (including deliveries by vendors and sales through plant stores) in the marketing area during the month, by the rate of compensatory payment calculated pursuant to § 908.54.

DETERMINATION OF PRICES TO PRODUCERS

§ 908.70 Computation of the value of producer milk for each handler. For each month, the market administrator shall compute the value of producer milks for each handler as follows:

(a) Multiply the quantity of producer milk in each class computed pursuant to § 908.45 by the applicable class price, and total the resulting amounts (and add any amount necessary to reflect adjust-

ments in location differential allowance required pursuant to the proviso of § 900.53)

(b) Add an amount computed by multiplying the hundredweight of slam milk and butterfat subtracted from Class I milk pursuant to \$ 903.45 (a) (2) and (b) by the rate of compensatory payment as determined pursuant to \$ 903.54 for the nearest plant(s) from which an equivalent amount of other source milk was received in the form of fluid milk products;

(c) Add the amounts computed by multiplying the pounds of overage deducted from each class pursuant to § 903.45 (a) (7) and (b) by the applica-

ble class price;

(d) Add the amount computed by multiplying the difference between the appropriate Class II price for the preceding month and the appropriate Class I milk: price for the current month by the hundredweight of skim milk: and butterfat remaining in Class II milk after the calculations pursuant to § 903.45 (a) (5) and (b) for the preceding months or the hundredweight of skim milk and butterfat subtracted from Class I milk pursuant to § 903.45 (a) (4) and (b) for the current month, whichever is less, respectively.

§ 902.71 Computation of the uniform price. For each of the months of August through January, the market administrator shall compute the uniform price per hundredweight of producer milk of 4.0 percent butterfat content, f. o. b. market, as follows:

(a) Combine into one total the values computed pursuant to § 903.70 for the producer mill: of all handlers who submit reports prescribed in § 903.30 and who have made payments for the previous month pursuant to § 903.80 or § 903.82:

(b) Subtract, if the average butterfat content of the producer milk included under paragraph (a) of this section is greater than 4.0 percent, or add, if such average butterfat content is less than 4.0 percent, an amount computed as follows: Multiply the variation in the average butterfat content of such milk from 4.0 percent by the butterfat differential computed pursuant to § 908.73 and multiply the result by the total hundredweight of such milk;

(c) Add an amount equal to the sum of the deductions to be made from producer payments for location differentials pursuant to § 903.80 (a) (2)

(d) Add an amount equal to one-half of the unobligated balance on hand in the producer-settlement fund;

(e) Divide the resulting amount by the total hundredweight of producer mill: included under paragraph (a) of this section; and

(f) Subtract not less than 4 cents nor more than 5 cents.

§ 908.72 Computation of uniform prices for base mill: and excess mill: For each of the months of February through July, the market administrator shall compute the uniform prices per hundred-weight for base mill: and for excess mill:, each of 4.0 percent butterfat content, f. o. b. market, as follows:

(a) Compute the aggregate value of excess milk for all handlers who submit reports pursuant to § 908.30, and who have made payments for the previous month pursuant to §§ 908.80 or 908.82 as follows: (1) Multiply the hundredweight of such milk not in excess of the total quantity of producer milk assigned to Class II milk in the pool plants of such handlers by the Class II milk price; (2) multiply any additional hundredweight of such milk by the Class I milk price, and (3) add together the resulting amounts:

(b) Divide the aggregate value of excess milk obtained in paragraph (a) of this section by the total hundredweight of such milk, adjust to the nearest cent and subtract 4 cents. The resulting figure shall be the uniform price for excess milk of 4.0 percent butterfat content received from producers;

(c) Subtract an amount determined by multiplying the uniform price obtained in paragraph (b) of this section. plus 4 cents, times the hundredweight of excess milk from the total value of producer milk for the month as determined according to the calculations set forth in § 908.71 (a) through (d)

(d) Divide the result obtained pursuant to paragraph (c) of this section by the total hundredweight of base milk of handlers included in these computations.

(e) Subtract not less than 4 cents nor more than 5 cents from the price computed pursuant to paragraph (d) of this section. The resulting figure shall be the uniform price for base milk of 4.0 percent butterfat content f. o. b. market.

§ 908.73 Butterfat differential to producers. The applicable uniform prices to be paid each producer shall be increased or decreased for each one-tenth of one percent which the average butterfat content of his milk is above or below 4.0 percent, respectively, at the rate determined by multiplying the pounds of butterfat in producer milk allocated to each class by the appropriate butterfat differential for such class as determined pursuant to § 908.52, dividing by the total butterfat in producer milk and rounding to the nearest even tenth of a cent.

§ 908.74 Location differential to producers. The applicable uniform prices to be paid for producer milk received at a pool plant located 60 miles or more from the city limits of Benton, Arkansas, by the shortest highway distance, as determined by the market administrator, shall be reduced according to the distance of the plant from such city limits at the rate of 1.5 cents for each 10 miles or residual fraction thereof.

§ 908.75 Notification of handlers. On or before the 11th day after the end of each month, the market administrator shall mail to each handler, who submitted the report(s) prescribed in § 908.30, at his last known address, a statement showing:

(a) The amount and value of his producer milk in each class and the totals thereof:

(b) For the months of February through July the amounts and value of his base and excess milk respectively.

(c) The uniform price(s) computed pursuant to §§ 908.71 and 908.72 and the

butterfat differential computed pursuant to § 908.73; and

(d) The amounts to be paid by such handler pursuant to §§ 908.82, 908.85, 908.86, or 908.62; and the amount due such handler pursuant to § 908.83.

§ 908.80 Time and method of payment for producer milk. (a) Except as provided in paragraph (b) in this section, each handler shall make payment; to each producer from whom milk is received during the month as follows:

(1) On or before the last day of each month to each producer who did not discontinue shipping milk to such handler before the 25th day of the month, an amount equal to not less than the Class II price for the preceding month multiplied by the hundredweight of milk received from such producer during the first 15 days of the month, less proper deductions authorized by such producer to be made from payments due pursuant

to this paragraph:

(2) On or before the 15th day of the following month, an amount equal to not less than the appropriate uniform price(s) adjusted by the butterfat and location differentials to producers multiplied by the hundredweight of milk or base milk and excess milk received from such producer during the month, subject to the following adjustments: (i) Less payments made to such producer pur,suant to subparagraph (1) of this paragraph, (ii) less marketing service deductions made pursuant to § 908.85, (iii) plus or minus adjustments for errors made in previous payments made to such producer, and (iv) less proper deductions authorized in writing by such producer: Provided, That if by such date such handler has not received full payment from the market administrator pursuant to § 908.83 for such month, he may reduce pro rata his payments to producers by not more than the amount of such underpayment. Payments to producers shall be completed thereafter not later than the date for making payments pursuant to this paragraph next following after the receipt of the balance due from the market administrator.

(b) In the case of a cooperative association which the market administrator determines is authorized by its members to collect payment for their milk and which has so requested any handler in writing, such handler shall on or before the 2d day prior to the date on which payments are due individual producers pay the cooperative association for milk received during the month from the producer members of such association as determined by the market administrator an amount equal to not less than the amount due such producer members as determined pursuant to paragraph (a)

of this section.

(c) Each handler shall furnish the person to whom payment is to be made pursuant to this section with the following information:

(1) On or before the 25th day of the month, the pounds of milk received from the producer or from each member of the cooperative association during the first 15 days of such month;

(2) On or before the 7th day of the following month to a cooperative association for its individual members, or on or before the 15th day of the following month to producers (i) the pounds of milk received each day and the total for the month, together with the butterfat content of such milk, (ii) for the months of February through July the pounds of base milk received, (iii) the amount or rate and nature of deductions made from payments and (iv) the amount and nature of payments due pursuant to § 908.84.

§ 908.81 Producer-settlement fund. The market administrator shall establish and maintain a separate fund known as the "producer-settlement fund" into which he shall deposit all payments made by handlers pursuant to §§ 908.62, 908.82 and 908.84, and out of which he shall make all payments pursuant to §§ 908.83° and 908.84. Provided, That any payments due to any handler shall be offset by any payments due from such handler.

§ 908.82 Payments to the producersettlement fund. On or before the 12th day after the end of each month, each handler shall pay to the market administrator any amount by which the value of his producer milk as computed pursuant to § 908.70 for such month, is greater than the amount owed by him for such milk at the appropriate uniform price(s) adjusted by the producer butterfat and location differentials.

§.908.83 Payments out of the producer-settlement fund. On or before the 13th day after the end of each month, the market administrator shall pay to each handler any amount by which the total value of his producer milk, computed pursuant to § 908.70, for such month is less than the amount owed by him for such milk at the appropriate uniform price(s) adjusted by the producer butterfat and location differentials. If at such time the balance in the producer-settlement fund is insufflcient to make all payments pursuant to this section, the market administrator shall reduce uniformly such payments and shall complete such payments as soon as the appropriate funds are available.

§ 908.84 Adjustment of accounts. Whenever audit by the market administrator of any reports, books, records, or accounts or other verification discloses errors resulting in moneys due (a) the market administrator from a handler, (b) a handler from the market administrator, or (c) any producer or cooperative association from a handler, the market administrator shall promptly notify such handler of any amount so due and payment thereof shall be made on or before the next date for making payments set forth in the provisions under which such error occurred.

§ 908.85 Marketing services. Except as set forth in paragraph (b) of this section, each handler, in making payments to producers for milk (other than milk of his own production) pursuant to § 908.80, shall deduct 5 cents per hundredweight, or such amount not exceeding 5 cents per hundredweight, as may be prescribed by the Secretary, and shall pay such deductions to the market administrator on or before the 15th day after the end of the month. Such money shall be used by the market administrator to provide market information and to check the accuracy of the testing and weighing of their milk for producers who are not receiving such service from a cooperative association;

(b) In the case of producers who are members of a cooperative association which the Secretary has determined is actually performing the services set forth in paragraph (a) of this section, each handler shall (in lieu of the deduction specified in paragraph (a) of this section) make such deductions from the payments to be made to such producers as may be authorized by the membership agreement or marketing contract between such cooperative association and such producers, and on or before the 13th day after the end of each month. pay such deductions to the cooperative association of which such producers are members, furnishing a statement showing the amount of any such deductions and the amount of milk for which such deduction was computed for each producer.

§ 908.86 Expense of administration. On or before the 15th day after the end of each month, each handler shall pay to the market administrator, for each of his approved plants, 4 cents or such lesser amount as the Secretary may prescribe, for each hundredweight of butterfat and skim milk contained in (a) producer milk, (b) other source milk allocated to Class I milk pursuant to § 908.45 (a) (2) and (b) or (c) Class I. milk disposed of in the marketing area (except to a pool plant) from a nonpool plant not subject to the classification and pricing provisions of another order issued pursuant to the act.

- § 908.87 Termination of obligations. The provisions of this section shall apply to any obligations under this part for the payment of money.

(a) The obligation of any handler to pay money required to be paid under the terms of this part shall, except as provided in paragraphs (b) and (c) of this section, terminate 2 years after the last day of the calendar month during which the market administrator receives the handler's utilization report on the milk involved in such obligation, unless within such 2-year period the market administrator notifies the handler in writing that such money is due and payable. Service of such notice shall be complete upon mailing to the handler's last known address, and it shall contain, but need not be limited to, the following information:

(1) The amount of the obligation;

(2) The month(s) during which the milk, with respect to which the obligation exists was received or handled; and

(3) If the obligation is payable to one or more producers or to an association of producers, the name of such producer(s) or association of producers, or if the obligation is payable to the mar-

ket administrator, the account for which it is to be paid.

(b) If a handler fails or refuses, with respect to any obligation under this part, to make available to the market administrator or his representatives all books and records required by this part to be made available, the market administrator may, within the two-year period provided for in paragraph (a) of this section, notify the handler in writing of such failure or refusal. If the market administrator so notifies a handler, the said two-year period with respect to such obligation shall not begin to run until the first day of the calendar month following the month during which all such books and records pertaining to such obligation are made available to the market administrator or his representative.

(c) Notwithstanding the provisions of paragraphs (a) and (b) of this section, a handler's obligation under this part to pay money shall not be terminated with respect to any transaction involving fraud or willful concealment of a fact, material to the obligation, on the part of the handler against whom the obligation is sought to be imposed.

(d) Any obligation on the part of the market administrator to pay a handler any money which such handler claims to be due him under the terms of this part shall terminate two years after the end of the calendar month during which the payment (including deduction or setoff by the market administrator) was made by the handler, if a refund on such payment is claimed, unless such handler, within the applicable period of time, files, pursuant to section & (15) (A) of the act, a petition claiming such money.

### DETERMINATION OF BASE

§ 908.90 Computation of daily average base for each producer Subject to the rules set forth in § 908.91, the daily average base for each producer shall be an amount calculated by dividing the total pounds of milk received from such producer at all pool plants during the months of October 1955 through January 1956 by the number of days from the first day of delivery by such producer during such months to the last day of January 1956, inclusive, or by 90, whichever is more. The daily average base for each producer thereafter shall be an amount calculated by dividing the total pounds of milk received from such producer at all pool plants during the months of September through December immediately preceding, by the number of days from the first day of delivery by such producer during such months to the last day of December inclusive or by 90, whichever is more.

§ 908.91 Base rules. The following rules shall apply in connection with the establishment and assignment of bases:

(a) Subject to the provisions of paragraph (b) of this section, the market administrator shall assign a base as calculated pursuant to \$908.90 to each person for whose account producer milks was delivered to pool plants during the months of October 1955 through January 1956, and during the months of

September through December thereafter.

(b) An entire base shall be transferred from a person holding such base to any other person effective as of the end of any month during which an application for such transfer is received by the market administrator, such application to be on forms approved by the market administrator and signed by the baseholder, or his heirs, and by the person to whom such base is to be transferred: Provided, That if a base is held jointly, the entire base shall be transferrable only upon the receipt of such application signed by all joint holders or their heirs, and by the person to whom such base is to be transferred.

§ 903.92 Announcement of established bases. On or before February 25, 1956 and January 25 of each year thereafter, the market administrator shall notify each producer, and the handler receiving milk from such producer, of the daily average base established by such producer.

### EFFECTIVE TILLE, SUSPENSION, OR TEPMINATION

§ 903.100 Effective time. The provisions of this part, or any amendment thereto, shall become effective at such time as the Secretary may declare and shall continue in force until suspended or terminated.

§ 903.101 Suspension or termination. The Secretary shall, whenever he finds that any or all provisions of this part, or any amendment thereto, obstruct or do not tend to effectuate the declared policy of the act, terminate or suspend the operation of any or all provisions of this part or any amendment thereto.

§ 908.102 Continuing obligations. If, upon the suspension or termination of any or all provisions of this part, or any amendment thereto, there are any obligations thereunder the final accrual or accertainment of which requires further acts by any person (including the market administrator) such further acts shall be performed notwithstanding such suspension or termination.

§ 908.103 Liquidation. Upon the suspension or termination of the provisions of this part, except §§ 908.34, 908.89, and 908.91 through 908.93, the market administrator, or such other liquidating agent as the Secretary may designate, shall, if so directed by the Secretary liquidate the business of the market administrator's office, dispose of all property in his possection or control, including accounts receivable, and execute and deliver all assignments or other instruments necessary or appropriate to effectuate any such disposition. If a liquidating agent is so designated, all assets, books, and records of the market administrator shall be transferred promptly to such liquidating agent. If, upon such liquidation, the funds on hand exceed the amounts required to pay outstanding obligations of the office of the market administrator and to pay necessary expenses of liquidating and distribution, such excess shall be distributed to contributing handlers and producers in an equitable manner.

### MISCELLANEOUS PROVISIONS

§ 908.110 Agents. The Secretary may, by designation in writing, name any officer or employee of the United States to act as his agent and representative in connection with any of the provisions of this part.

§ 908.111 Separability of provisions. If any provisions of this part, or its application to any person or circumstances, is held invalid, the application of such provision, and of the remaining provisions of this part, to other persons or circumstances shall not be affected thereby.

Sections 908.1 through 908.20; 908.25 through 908.27 908.30 through 908.33; 908.40 through 908.45; 908.60, 908.61, 908.87 908.90 through 908.92; 908.100 through 908.103; 908.110 and 908.111 shall be effective on and after the 15th day of November, 1955, and the entire order (§§ 908.1 through 908.111) shall be effective on and after the first day of December, 1955.

Issued at Washington, D. C., this 4th day of November 1955.

[SEAL]

EARL L. BUTZ, Assistant Secretary.

[F. R. Doc. 55-9048; Filed, Nov. 8, 1955; 8:56 a. m.]

### TITLE 29—LABOR

### Chapter V-Wage and Hour Division, Department of Labor

PART 545-HOMEWORKERS IN THE NEEDLE-WORK AND FABRICATED TEXTILE PROD-UCTS INDUSTRY IN PUERTO RICO

On June 11, 1955, notice was published in the Federal Register (20 F R. 4132-4140) that the Administrator of the Wage and Hour Division, United States Department of Labor, proposed to amend the regulations contained in this part. Interested persons were given 30 days to submit for consideration, data, views or arguments pertaining to the proposed changes. The time for filing was subsequently extended to August 13, 1955. No objections have been received.

Accordingly, pursuant to authority under sections 6 (a) and 11 (c) of the Fair Labor Standards Act of 1938, as amended (52 Stat. 1060, as amended, 29 U. S. C. 201 et seq.) Part 545, of Title 29 of the Code of Federal Regulations is amended, as set forth in the notice, except that the piece rates contained in § 545.13 applicable to the silk, rayon, and nvlon (except infants') underwear division, and the general division have been deleted. This deletion was necessitated by the new minimum hourly wage rates fixed for those divisions of the needlework and fabricated textile products industry in Puerto Rico by the wage order which was published in the Feb-ERAL RÉGISTER on September 20, 1955 (20 F R. 7037) and became effective October 6, 1955. The piece rates for the divisions which have been deleted will be publishéd in a new proposal.

This amendment shall become effective on December 9, 1955.

Signed at Washington, D. C., this 3d day of November 1955.

> NEWELL BROWN, Administrator, Wage and Hour Division.

Sec. 545.1 Applicability. Definitions. 545.2

Filing and notification requirements. 545.3

Preparation of goods for delivery. Delivery and collection of goods. 545.4 . 545.5

Payment for work. 545.6

545.7 Records to be kept. Reporting names of subcontractors, agents, or other homework distributors. 545.8

545.9 Minimum piece rates prescribed by

the Administrator. Piece rates adopted by employers. 545.10

Penalties. 545.11

Petition for amendment of regula-545.12

545.13 Piece rates established in accordance with § 545.9.

AUTHORITY: §§ 545.1 to 545.13 issued under secs. 6, 11, 52 Stat. 1062, 1066; 29 U.S. C. 206;

§ 545.1 Applicability. The provisions of this part shall apply to persons engaged in commerce or in the production of goods for commerce in activities relating to homeworkers in the needlework and fabricated textile products industry m Puerto Rico as defined in Part 655 of this chapter.

§ 545.2 Definitions. (a) The meaning of the terms "person" "employer" "employee" "goods" and "production" as used in this part, is the same as in the Fair Labor Standards Act of 1938, as amended.

(b) "Homeworker" as used in this part, means any employee employed or suffered or permitted to perform home-

work for an employer.

- (c) "Homework" as used in this part, means the production by any person in or about a home, apartment, tenement, or room in a residential establishment, of goods for an employer who suffers or permits such production, regardless of the source (whether obtained from an employer or elsewhere) of the materials used by the homeworker in such production; Provided, That such work is not performed under the constant and direct supervision of an employer or of a responsible supervisor and under such conditions that accurate records of hours worked are maintained or can readily be maintained.
- (d) "Contractor" means any employer in Puerto Rico who contracts for the performance of work on goods to which a person other than the contractor holds
- (e) "Prime contractor" means any contractor in Puerto Rico who contracts directly with the person holding title to the goods.
- (f) "Subcontractor" means any contractor in Puerto Rico other than a prime contractor.
- (g) "Manufacturer" means any employer in Puerto Rico other than a con-

tractor, who is engaged in processing goods.

(h) "Operation" means any work or any process performed on or with goods other than the distribution of goods to or collection of goods from homeworkers.

§ 545.3 Filing and notification requirements. (a) Every prime contractor or manufacturer, prior to the distribution of work, directly or through a subcontractor or agent, to any homeworker, or prior to the commencement of work by a homeworker in cases where the homeworker purchases the raw materials, shall file with the Wage and Hour Division in Puerto Rico the following: A clear and legible stamped copy of each design, if any, and in the absence of such design, a finished sample, of the goods to be distributed, or to be produced by the homeworker; a description in writing of each operation to be performed by the homeworker, whether or not part of a design; the full piece rate schedule designation, if any, and the corresponding piece rate to be paid for each such operation; the total piece rate for the finished unit or part of unit; and the style number or name, if any, of the goods upon which such operations are to be performed. In the absence of a style number or name, the prime contractor or manufacturer shall file any other identification number or name by which the goods are known.

(b) No change shall be made by a prime contractor or manufacturer in any style or identification number or name filed as required by this section, or in the operations to be performed thereunder, unless prior written notification of such change is given to the Wage and Hour Division in Puerto Rico.

(c) Any design, sample, piece rate, style or other identification number or name, or description of operation, filed under this section shall be valid, for the purposes of the regulations in this part, for a period of three years, commencing on the date it is received by the Wage and Hour Division in Puerto Rico. After the expiration of this period, no goods covered thereby shall be distributed to homeworkers unless a new notification and filing, as required by the first paragraph of this section, has been previously made by the prime contractor or manufacturer.

(d) No prime contractor or manufacturer shall distribute work to homeworkers under a firm name other than the one under which such work has been filed with the Wage and Hour Division in Puerto Rico pursuant to the requirements of this section.

(e) Any design or sample filed under the provisions of this section may be retained by the Wage and Hour Division for the period deemed necessary for enforcement of the provisions of the Fair Labor Standards Act.

<sup>&</sup>lt;sup>1</sup>Persons engaged in activities relating to homeworkers in other industries in Puerto Rico are subject to Part 681 of this chapter.

<sup>2</sup> See § 545.13 for the schedule of piece rates prescribed in accordance with § 545.9. As an example of how to state the piece rate schedule designation, if "plain scallops" are to be made on articles in the "Infants' Wear Division", the full piece rate schedule designa-tion would be "Operation 74, Col. 3"

§ 545.4 Preparation of goods for delivery. Where homework is distributed through a subcontractor, each prime contractor or manufacturer for whom such distribution is made shall make up into lots any goods to be so distributed, each lot to comprise goods on which the same operations are to be performed.

§ 545.5 Delivery and collection of goods. Homework shall in each instance be distributed to and collected from the individual homeworker who is to perform or has performed the work on it, and no other person may act for or on behalf of any homeworker in this connection.

§ 545.6 Payment for work. When a prime contractor or manufacturer receives completed homework directly from an individual homeworker, payment shall be made to such homeworker immediately. When, however, such completed homework is received through a subcontractor, payment shall be made to the subcontractor immediately upon receipt, and the subcontractor shall pay the homeworker who performed the work within seven days from the date on which the subcontractor was paid. Payment shall be made to each homeworker at rates not-less than those required under §§ 545.9 and 545.10, and in accordance with the requirements of sections 6 and 7 of the act. In addition, where costs are incurred by a homeworker for equipment, material, or other items, such as fuel and electricity, as a result of homework, the prime contractor or manufacturer for whom such homework was performed shall, either directly through a subcontractor, reimburse the homeworker for such costs, to the extent necessary to provide compensation for the labor performed at least commensurate with the piece rates required by §§ 545.9 and 545.10.

§ 545.7 Records to be kept. (a) Every prime contractor or manufacturer shall make and have available at his principal Puerto. Rican office for a period of not less than three years a record of the following information: <sup>3</sup>

<sup>3</sup>Although responsibility for making the record is placed upon the prime contractor or manufacturer, the actual work of doing so may be performed by supervisory or clerical employees, agents, subcontractors, or other persons acting in his behalf.

No particular order or form of records is prescribed by the regulations contained in this part. The prime contractor or manufacturer may keep his own record system, so long as he keeps all the required information available in understandable form.

The records must be kept in the principal Puerto Rican office of the prime contractor or manufacturer. Where it is not possible for a record of one or more of the items to be made in the first instance at the principal office of the prime contractor or manufacturer, at his direction the record of such items may be made away from that office by a subcontractor, agent, employee, or other person acting in his behalf. In such event, however, the records shall be delivered to the principal Puerto Rican office of the prime contractor or manufacturer as soon as practicable after the making of such entries, and shall there be preserved and be available for inspection.

(1) The name and address of each firm situated outside the Island of Puerto Rico, if any, from whom the goods upon which homework is to be performed were received.

(2) The name and address of each subcontractor, if any, to whom each lot of goods was delivered for delivery to homeworkers, together with the number of the permit issued to such subcontractor by the Department of Labor of Puerto

Rico.

(3) The date or dates upon which each lot of goods was delivered to and returned by a subcontractor, if any, together with a description of such goods, the net amount paid as commission and the rate of commission on such goods.

(4) The name and address of each homeworker, and the date of birth of each homeworker under 19, to whom the goods in each lot were delivered or from

whom goods were purchased.

(5) The date or dates upon which the goods in each lot were delivered to and collected from each homeworker or upon which goods were purchased from each homeworker.

- (6) The style number or name or, if none, the identification number or name used in lieu thereof, the description of, and amount of goods in each lot or the amount of goods purchased from each homeworker, the operations to be performed or performed thereon, the piece rates to be paid or paid, the gross amount due each homeworker for the operations performed upon the goods, social security deductions from that amount, the costs, if any, incurred by the homeworker for equipment, material or other items such as electricity or fuel, as a result of the homework, the amount actually paid the homeworker and the date of payment.
- (b) At the time work is given out to or received or purchased from a homeworker, as the case may be, every prime contractor or manufacturer shall enter the following information in the handbook (to be obtained by the prime contractor or manufacturer from the Wage and Hour Division and supplied by him to each homeworker) which chall be kept by the homeworker until the handbook is completed (that is, no space remains for additional entries) or the homeworker's services are terminated, at which time it shall be returned to the prime contractor or manufacturer who shall retain it for a period of two years subsequent to the last entry therein: 4
- (1) The date or dates upon which the goods in each lot were delivered to and collected from the homeworker or upon which goods were purchased from the homeworker.
- (2) The style number or name, or, if none, the identification number or name used in lieu thereof, the description of, and amount of goods in each lot or the amount of goods purchased from each

homeworker, the operations to be performed or performed thereon, the piece rates to be paid or paid, the gross amount due each homeworker for the operations performed upon the goods, social security deductions from that amount, the costs, if any, incurred by the homeworker for equipment, material, or other items such as electricity or fuel as a result of homework, the amount actually paid the homeworker, and the date of payment.

(3) The signature of the person acting in behalf of the prime contractor or

manufacturer.

(c) No prime contractor or manufacturer shall employ any homeworker for more than 40 hours in any workweek unless, in addition to the records which he is required to keep pursuant to paragraphs (a) and (b) of this section, such prime contractor or manufacturer makes and keeps available at his principal Puerto Rican office and enters in the handbools of each such homeworker a record of the following information: 4

(1) The hours worked by the homeworker on the goods in each lot.

(2) The total hours worked each week.(3) The wages paid the homeworker each week at regular piece rates.

(4) The extra amount paid to the homeworker for hours worked in excess of 40 in each week.

(d) Every employer who makes retroactive payment of wages or compensation under the supervision of the Administrator pursuant to section 16 (c) of the act, shall:

(1) Record and preserve, as an entry on his payroll or other pay records, the amount of such payment to each employee, the period covered by such payment, and the date of payment.

(2) Prepare a report of each such payment on the receipt form provided or authorized by the Wage and Hour Division, and (i) preserve a copy as part of his records, (ii) deliver a copy to the employee, and (iii) file the original, which shall evidence payment by the employer and receipt by the employee, with the Administrator or his authorized representative within 10 days after payment is made.

§ 545.8 Reporting names of subcontractors, agents, or other homework distributors. Every prime contractor or manufacturer shall report to the office of the Wage and Hour Division, United States Department of Labor, Mayaguez, Puerto Rico, (a) the names and addresses of all persons engaged or used as subcontractors, as that term is defined in this part, or as agents or supervisors in charge of any branch office, and (b) the permit numbers issued to such persons by the Department of Labor of Puerto Rico.

§ 545.9 Minimum piece rates prescribed by the Administrator Pursuant to the provisions of section 6 (a) (2) of the act, each homeworker shall be paid in lieu of the applicable hourly rate established by the wage order for the needlework and fabricated textile products industry, not less than the piece rates prescribed in § 545.13 for the operations described therein.

Although responsibility for supplying the handbook to the homeworker and recording information therein is placed upon the prime contractor or manufacturer, the actual work of doing so may be performed by supervisory or clerical employees, agents, subcontractors, or other persons acting in his

§ 545.10 Piece rates adopted by employers. (a) Pursuant to the provisions of section 6 (a) (2) of the act, in the event that a homeworker performs an operation for which no minimum piece rate has been prescribed by regulation or order of the Administrator or his authorized representative, he shall be paid a piece rate adopted by the prime contractor or manufacturer which shall yield to homeworkers of ordinary skill. under prevalent operating conditions and with equipment ordinarily found in homes, an amount not less than the applicable minimum hourly wage rate established by wage order. This piece rate must be the result of production time studies conducted in Puerto Rico with a representative group of homeworkers. Such piece rate shall be lawful only if it actually satisfies the requirements of this section, and such a rate shall remain in effect only until such time as the Administrator or his authorized representative, by regulation or order, establishes a minimum piece rate for the operations.

(b) Piece rates adopted under this section shall be filed with the Wage and Hour Divisior in Puerto Rico, accompanied by a record of the time tests showing a full description of the operation tested, the date of the test, measures taken to insure a representative sample of homeworkers, the starting and stopping time of each worker tested together with the number of units produced in that time, the total number of workers tested, the total number of hours worked, and the total number of units produced.

§ 545.11 Penalties. Section 15 of the act makes it unlawful for any person to violate the provisions of this part and subjects any such person to the penalties provided in section 16 and section 17 of the act.

§ 545.12 Petition for amendment of regulations. Any person wishing a revision of any of the terms of this part may submit in writing to the Administrator or his authorized representative a petition setting forth the changes desired and the reasons for proposing them. If, upon inspection of the petition, the Administrator or his authorized representative believes that reasonable cause for amendment of this part is set forth, the Administrator or his authorized representative will, unless it is impracticable, unnecessary or contrary to the public interest to do so, either schedule a hearing with due notice to interested parties, or will make other provision for affording interested parties an opportunity to present their views, either in support of or in opposition to the proposed changes.

§ 545.13 Piece rates established in accordance with § 545.9.

SCHEDULE A—PIECE RATE SCHEDULE FOR THE COTTON UNDERWEAR AND INFANTS' UNDERWEAR; INFANTS' WI'AR
- SILE, RAYON AND NYLON (EXCEPT INFANTS') UNDERWEAR; BLOUSE, DRESS, AND NECKWEAR; AND THE CHILLDREN'S AND DOLLS' WEAR DIVISIONS OF THE NEEDLEWORK AND FABRICATED TEXTILE PRODUCTS INDUSTRY IN
PUERTO RICO

PU	ERTO RICO	.——					,
	· ,	based on	hourly re				
No.			under- linfants' ear divi- ½ cents)	In- fants' wear	Blouse, dress, and neck-	Chil- dren's and doll's	Unit of payment
0		Infants under wear, silk, rayonorother synthetiofiber	Cotton under wear	divi- sion (25 cents)	wear divi- sion (35 cents)	wear divi- slon (35 conts)	
		(1)	(2)	(3)	(4)	(5)	
	HAND-SEWING OPERATIONS 1						ļ
1	Arenilla (seed stitch), close, ½" squares.	27.00	24.30	30.00	42.00	42.00	Per dozen squares.
2	Arenilla (seed stitch), scattered, 1/2" squares.	13.50	12,15	15.00	21.00	21.00	Do.
3 4 5 6 7	Arrows, filled in, 4"  Back stitch on yokes, armholes, etc Basting bias with cord. Basting darts before sowing. Basting for fagoting. Basting hems, 1" to 6" wide.	6.75 15.00 7.43 7.83 2.04	6.08 13.50 6.69 7.05 1.83	7.50 16.67 8.25 8.70 2.27	10,50 23,33 11,55 12,18 3,16	10.50 23.33 11.55 12.18 3.16	Per dozen. Per yard. Do. Do. Do.
8 9 10	Basting homs, 1" to 6" wide  Basting lace  Basting waist lines, plackets and facings, 2 to 3 stitches per inch.	4.50 3.88 2.82	4.05 3.50 2.54	5.00 4.32 3.13	7.00 6.05 4.38	7,00 6,05 4,38	Do, Do, Do,
11	stitches per inch.	9.00	8. 10	10.00	14.00	14.00	Do,
12	stitches per inch.	11. 25	10, 13	12,50	17.50	17.50	Do.
13	Bias piping, second seam, joined, dou- ble, set flat on garment with run- ning stitch.	13.55	12, 20	15.05	21.09	21.09	Do,
14	Blanket stitch, folding included, 18 stitches per inch.	25, 50	22, 95	28, 33	39.67	39.67	Do.
15	Buttons sewed on with double thread, 2 to 3 stitches.	2.91	2,64	3.27	4.56	4.56	Per dozen.
16. 17 18	Buttonholes, stamped, 36" long Buttonholes, stamped, 32" long Buttonhole stitch, close	9.71 12.90 20.25	8.73 11.61 18.23	10.78 14.33 22.50	15,08 20,08 31,50	15.08 20.08 31.50	Do. Do. Por yard
19 20 21	Buttonhole stitch for joining seams Cord, twisted, over basting Cutting material applied over lace with solid cord stitch.	20. 25 2. 25 3. 03	18. 23 2. 03 2. 78	22,50 2,50 2,50 3,42	31.50 3.50 4.80	31,50 3,50 4,80	Per yard. Do. Per dozen inches. Per yard.
22	Cutting material under lace or at seams, straight outline, following	1.26	1.14	1.40	1.97	1.97	Do.
23	hand-sewing operations.  Dots, baby, not finished off, 2 to 3 stitches.	1.88	1.70	2.08	2.92	2.92	Per dozen.
24,	Dots, medium, not filled in, finished	2.97	2, 69	3.30	4.62	4.62	Do.
25 26 27 28 29 30 31 32 33	Eydets, up to 3%" diameter Eydets, ½6" diameter Fagoting, straight lines Fagoting, twisted lines Feather stitch, 12 stitches per inch Feather stitch cord Fint fell seams, first seam by machine- Flat roll French knots, not finished off French seams, over 12 stitches per	8.79 6.83 .95	4.52 8.10 28.20 13.50 13.50 7.11 7.91 6.14	5. 58 10. 00 34. 82 16. 67 16. 67 8. 78 9. 77 7. 58 1. 05 6. 25	7,80 14,00 48,75 23,33 23,33 12,28 13,66 10,60 1,46 8,76	7.80 14.00 48.75 23.33 23.33 12.28 13.66 10.60 1.46 8.75	Do. Do. Per yard. Do. Do. Do. Do. Do. Per dozen. Peryard.
35	inch. French seams, first seam by machine,	5. 62 3. 70	5.07 3.33	4, 12	5.78	5.78	Do.
36 37 38 39	9 to 12 stitches per inch. Furunecos, with tape Furunecos, without tape Guariquenas	37. 50 27. 00 2. 25 7. 38	33.75 24.30 2.03 6.65	41.67 30.00 2.50 8.20	52, 50 42, 00 3, 50 11, 48	52,50 42,00 3,50 11,48	Do. Do. Por dozou. Por yard. Do.
40 41	Hemming stitch for felling, 2 to 3 stitches per inch.  Hemming stitch for felling cuffs, col-	3, 93 10, 07	3, 54 9, 06	4. 37 11. 18	6. 12 15. 66	6, 12 15, 66	Do.
42	Hemming stitch for felling cuffs, collars, plackets and waist bands, 8 to 10 stitches per inch. Hemstitching, double, (tru-tru), 4 threads in a bundle thread drawing	27.90	25. 11	31.00	43.40	43, 40	Do.
43	not included.  Hemstitching, single, 4 threads in a bundle, thread drawing not in-	14.66	13. 20	16.28	22,78	22.78	Do.
44 45	cluded. Lace, joined with whipping stitchLace, sewed on with hemming stitch	23. 45 11. 25	21.09 10.13	26.05 12.50	36. 46 17. 50	36. 46 17. 50	Do. Do.
46	or round roll. Leaves, open ¼" longLeaves, open ¾" to ½" long	9.00	8, 10 12, 15	10.00	14.00	14,00 21,00	Per dozen.
47 48 49	Leaves, solid, not finished off, 36"	13.50 .84 2.46	12. 15 . 77 2. 22	15.00 93 2.73	21.00 1.31 3.84	21.00 1.31 3.81	Do. Do. Do.
50	long. Leaves, solid, not finished off, 1/4"	3.00	2.70	3.33	4. 67	4. 67	Do.
51	long. Leaves, solid, not finished off, 36" to 12" long.	4. 50	4.05	5.00	7.00	7.00	Do.
52	Leaves, solid, finished off, 56" to 34" 1	9.00	8, 10	10.00	14.00 4.38	14.00 4.38	Do. Do.
54	long. Loops, knitted, ¼"Loops, knitted, 1" to 1½"	2.82 4.74	2. 54 4. 26	3. 13 5. 27	7.36	7.36	

<sup>&</sup>lt;sup>1</sup> For description of operations included under "hand-sewing," see definitions in applicable section of wage order.

<sup>&</sup>lt;sup>5</sup> See Part 655 of this chapter for the minimum hourly wage rates currently applicable for the various divisions and classifications of the needlework and fabricated textile products industry in Puerto Rico. The minimum hourly rates applicable to the manufacture of hooked rugs are provided in the wage order for the hooked rug industry in Puerto Rico (Part 684 of this chapter). Homeworkers in the hooked rug industry are governed by Part 681 of this chapter.

SCHEDULE A—PIECE RATE SCHEDULE FOR THE COTTON UNDERWEAR AND INVALTO' UNDERWEAR; INFANTS' WEAR; SILE, RAYON AND NYLON (EXCEPT INVALTO') UNDERWEAR; BLOCGE, DEEDS, AND NECKWEAR; AND THE CHILDREN'S AND DOLLS' WEAR DIVIDING OF THE NEEDLINGEN AND FABRICATED TEXTILE PRODUCTS INDUSTRY IN PREFIX RICO—CONTINUED

		Piccara	ato (œnts)				
		wearang underw sion (22	i under- d infants' cardivi- 12 cents)	In-	Bleuce, dram, and	Chil- dren's	
No.	Operation	Infants' under- wear, silk, rayonorother synthetiefiber	Cotton under wear	trear divi disa (23 conts)	ncck- wear divi- cion (35 cents)	dell's venr divi- tisn (35 cente)	Unit of payment
		(1)	(2)	(3)	(4)	(5)	
	HAND-SEWING OPERATIONS -Con.	ł		1			
55	Loops, made with buttonhole stitch,	0.75	0.03	7.20	10.00	10.20	Per dezen.
56	Mounting fagoting appliques, includ- ing pinning and basting to garment, first seam with running stitch, felled seam with hemming stitch.	23.60	24.21	22.83	41.82	41.82	Fer yard.
57	Overeasting seams	4.78	4.31	6,32	7.45	7.45	Do.
58 59	Pasadas, short, 1" to 8" Patches, sewed on with single point, de turc.	44.82	210 49.33	43.80	C2,72	C2.72	Fer dozen paradas. Fer yard.
59.1	Patches, rectangular, sewed on with blind stitch, up to 11/4"	2.82	2.59	3.13	4.49	4.40	Per desen inches.
59.2	Patches, sewed on with solid cord, cutting and basting included.	44.10	<b>40, 10</b>	42.00	ಯಬ	C3.00	Per yard.
60	Pin stitch, thread drawing not included, 1" squares.	54.00	42.60	62.69	84.60	84.00	Per desen equares.
61	Point de turc, double, with embroid- ery thread.	22,49	20,16	21.83	34.82	31.82	Fer yard.
62	Point de ture, plain, with embroid- ery thread.	13.13	11.69	14.53	23,42	23,42	Da.
នេ	Randa, bundles twisted but not tied, thread drawing not included.	ಒಡ	5.07	6,25	8.75	8.75	Do.
64	Randa, Don Genzales, thread draw- ing not included.	23.61	21, 25	23,23	09.75	29,75	Do.
65	Randa, Mexican, tied at center only, thread drawing not included.	6.75	6.03	7.69	10.50	19.60	De.
66 67 63	Ribbons, setting ends of Rolling armholes and reboques Rose buds, worm stitch, 4 worms, 1 or	2.03 11.51 6.03	2.78 10.35 6.02	3.42 12.76 7.42	4.80 17.83 19.40	4.80 17.83 10.40	Per dozen. Per yard. Per dozen.
හ	2 colors or tones. Running stitch on darts, 8 to 10 stitches per inch.	េធ	5.07	0.25	8.75	8.75	Per yard.
70	Running stitch for felling, very close	2.63	5.07	0.25	8.75	8.75	Do.
71	stitch. Running stitch on hems up to 1" wide, 12 stitches per inch.	0.05	5.43	0.72	2.42	0.42	Do.
72 73	Running stitch on icea Running stitch for plain sewing	5.97 4.03	5.37 3.63	6.G3 4.52	រង្គងក្នុង រង្គងធន	82.23 8.23 8.23	De. De.
74 75	Scallops, plain, cutting included Shadow stitch, up to 36" wide	22.65 43.50	20.37 39.15	17.17 18.33	31.2	35.23	Do.
76	Shell staten. 4 to 5 statenes per inch	7.73	6.05	288	التاخد	67.67 12.00	Do. Do.
78	Shirring, material to be measured before shirring. Shirring and basting lace edging,	4.53 5.45	4.63 4.91	a.cs	7.05 8.47	7.63 8.47	Do. Do.
	material to be measured after shir- ring.						
79	Shirring and setting lace edging with hemming stitch on straight outline, material to be measured after shir- ring.	9.78	8.81	10.87	15.22	15,22	De.
80	Shoulder straps, set with buttonholo stitch 14½" x ¾" measured after turning, sewing up to ¾" at each	37.00	27.03	*******		******	Fer desen straps.
81	end of strap. Size tickets set with hemming stitch, cutting tickets included.	4.50	4.05	4.30	7.60	7.00	Per desen inches.
82 83 84	Smocking. Snaps, sewing on, both sides. Solid cord stitch on gares and em-	.18 4.50 21.15	.17 4.03 18.03	2.00 200 200 200	7.60 22.00	 93.70 32.00	Per desen stitches. Per desen. Per yard.
85	broidery. Solid cord stitch to sew on laco	10.14	17.20	21.27	22.75 7.63	23.73 7.00	Do.
86 87	Spiders, 4 legs Spiders, 8 legs	4.50 8.61	4.05 7.92	4.50 0.78	13, 63	13,63	Per dezen. Do.
83 89	Tacks, set for facoting Tucks, stamped, Mc" to M" wide, up to 6" long.	8.61 2.25 7.04	2.03 0.33	2.50 7.82	3.00	3.20 10.05	Da. Da
80	Tucks, pin, scamped, up to (" long, ")	7.41 0.00	6,67 8,10	8.23	11.54	11.64	Do.
91	Tucks, pin, unstamped, up to 6" long.	0.00	8.10	10.00	14.00	14.00	Da

<sup>&</sup>lt;sup>1</sup> For description of operations included under "hand-cewing," see definitions in applicable section of wage order.

### **RULES AND REGULATIONS**

SCHEDULE A.—PIECE RATE SCHEDULE FOR THE COTTON UNDERWEAR AND INFANTS' UNDERWEAR; INFANTS' WEAR; SILK, RAYON AND "NECKWEAR; BLOUSE, DRESS, AND NECKWEAR; AND THE CHILDREN'S AND DOLLS' WEAR DIVISIONS OF THE NEEDLEWORK AND FABRICATED TEXTILE PRODUCTS INDUSTRY IN PURETO RICO—Continued

		Piece ra	te (cents)	based on	hourly rat	tes of—	
	Operation	wear a fants' wear d	under- ind in- under- ivision ents)	wear division (40 cents)	and neckwear (45 cents)	lls wear di ents)	
No.		Infants under wear, silk, rayon or other synthet to fiber	Infants under wear, silk, rayor or other synthet ic fiber Cotton underwear		Blouse, dress, an division (45	Children s and dolls wear vision (40 cents)	Unit of payment
		(I)	(2)	(3)	(4)	(5)	
	NON-HAND-SEWING OPERATIONS		•				
93	Cutting material under lace, or at seams, straight outline, following	2, 25	2, 25	2, 25	2, 53	2. 25	Per yard.
94	machine operations. Turning belts, machine sewn, 29" x	9.30	9.30	9.30	10.46	9.30	Per dozen belts.
95	Turning belts, machine sewn, 60" x	11.82	11.82	11.82	13. 29	11.82	Do.
96	Turning belts, machine sewn, 29" x ½", measured after turning. Turning belts, machine sewn, 60" x ½", measured after turning. Turning shoulder pads, 534" long, with an unsewn slit of 1" for turning the sewn slit of 1" for turning shoulder pads, 50 to turning should be shoul	6.04	6.04	6.04	6, 79	6.04	Per dozen pads.
97	ing. Turning shoulder straps, 14½" x ½" measured after turning.	18. 53	18. 53			******	Per dozen straps.

SCHEDULE B—PIECE RATE SCHEDULE FOR THE HANDKERCHIEF AND SQUARE SCARF DIVISION AND THE ART LINEN AND NEEDLEPOINT DIVISION OF THE NEEDLEWORK AND FABRICATED TEXTILE PRODUCTS INDUSTRY IN PURITO RICO

			nts) based on of 2234 cents	,		
No.	Operation	Handker- chiefs and square scarves	Art linens	Unit of payment		
	HAND-SEWING OPERATIONS <sup>1</sup>					
99	Arenillas (seed stitch), close, 14" squares	27,00	27.00	Per dozen squares.		
100	Arenillas (seed stitch), scattered, 14" squares	13, 50	13, 50	Do.		
101	Arrows, filled in, 14" long	6,75	6. 75	Per dozen.		
102	Basting lace	1. 29	1, 29	Per dozen inches.		
103	Arenillas (seed stitch), close, ¼" squares		1, 13	Do.		
103.1	Basting and folding hem on edges, up to 11/2" hem.		.45	Do.		
104	Blind hemstitch	4.50	4. 50	Do.		
105	Buttonhole stitch, 16 stitches per inch	4.50	4.50	<u>D</u> o.		
106	Buttonhole stitch, 24 to 30 stitches per inch	6.75	6.75	Do.		
107	Chain stitch, 4 stitches per inch		1.13	<b>D</b> o.		
108	Chain stitch, 8 stitches per inch		2, 25 7, 05	Do.		
109	Cord, solid, on stem	7.05	7,05	Do.		
110	Cord, twisted, over basting	2,25	2, 25 6, 75	Po.		
111	4 stitches per Inch. Basting and folding hem on edges, up to 1½" hem. Blind hemstitch. Buttonhole stitch, 16 stitches per inch. Buttonhole stitch, 21 to 30 stitches per inch. Chain stitch, 4 stitches per inch. Chain stitch, 8 stitches per inch. Cord, solid, on stem. Cord, twisted, over basting. Cord or embroidery, solid, without filling, up to ½" thick.²			Do.		
112	Couching or flat cord, 4 stitches per inch		1.13	Do.		
113	Cross stitch, 6 crosses per inch		4.80	<b>D</b> o.		
114	Cut work with buttonhole stitch, 24 to 30 stitches per inch.		9.00	Do.		
114, 1	Daisies, 12 to 15 stitches, with double embroidery			Per dozen.		
115	Diamonds, filled in, 14" to 36" wide	6,75	6.75	Do.		
116	Dots, baby, not finished off, 2 to 3 stitches	1.88	1.88	Do.		
117	Dots, large, not filled in, finished off, 12 stitches	3.38	3.38	Do.		
118	Dots, large, filled in, finished off, over 12 stitches		6.75	Do.		
119	thread. Diamonds, filled in, 4" to 3" wide			Do.		
120	Dots, medium, not filled in, finished off, 8 to 9			Do.		
120.1	Dots, medium, in groups, not finished off, 5		1.92	Do.		
120. 2	Dots, medium, in groups, finished off, 5 stitches,		2, 55	Do.		
121	etitohog nor meh 2		3.00	Per dozon inches.		
122	Emproidery, solid, straight or diagonal, same as		8.00	Do.		
123	Embroidary calid straight or diagonal same as		6.75	Do.		
124	Evelets &" diameter	5,03	5.03	Per dozen.		
125	Feather stitch, 12 stitches per inch	5.00	5.00			
126	Feather stitch cord		2.64	Do		
127	imago stitch, not filled in, loose. Eyelets, 1/2 diameter. Feather stitch, 12 stitches per inch Feather stitch cord. Flat hems without pasada.		2.34			
1 Fo	r description of operations included under "hand-se			licable section of wage order.		

<sup>&</sup>lt;sup>1</sup> For description of operations included under "hand-sewing," see definitions in applicable section of wage order.

<sup>2</sup> These piece rates have been set on the basis of O. N. T. thread No. 5, corded, which averages 28 stitches per inch
of solid cord. If corded threads are used, which are not so thick, the rate should be increased in proportion to the
increase in the number of stitches per inch. If corded thread No. 11 is used, 15 percent must be added to the piece
rates established for thread No. 5.

SCHEDULE B—PIECE RATE SCHEDULE FOR THE HANDRESCHEF AND SQUARE SCARF DIVISION AND THE ART LINEN AND NEEDLEFORT DIVISION OF THE NEEDLEWORE AND FARMICATED TEXTLE PRODUCTS INDUSTRY IN PURITO RICO—Continued

1000				
			nts) bared on of 223% cents	
No.	Operation	Handker- chiefs and square scarves	Art linens	Unit of payment
_	HAND-SEWING OPERATIONS 1—continued		•	
100			0.07	W 1
123 128,1 129	French knots, not finished off.  French knots, finished off, with double embroldery thread.	0.95 2.25	0.0 1.8 2.2	Fer dezen. Do. Do.
130 131	Guariquenas Hand or French rolling, 10 stitches or less per inch. Hand or French rolling, 11 stitches or moro per	ରିଛି । 7.64		Fer (3 inches. Do.
132	inch.  Hand-rolling I side of a corner; the piece rate chall apply under the following conditions:  (a) The machine-stitching runs to the end en	15.09		Per dezen handkerehkels.
	1 side of each corner; and on the other side, the space left open for hand-relling at the corner is not less than 14 inch nor more than 1 inch; and (b) Only 1 side of each corner is hand-relled; and the hand-rolling is not longer than 1		mages.	
133	inch.  Hand-rolling both sides of a corner; the piece rate shall apply under the following conditions:	ಯೂ		Do
	(a) The machine-stitching does not run to the end of either side of any corner; and the space left open for hand-relling at each side of the corners is not less than \( \frac{1}{2} \) inch nor more than 1 inch; and			
134	(b) Both sides of the corners are hand-rolled; but the hand-rolling is not longer than 1 inch on either side of any corner.  Hand-rolling both sides of a corner; the picce rate shall apply under the following conditions:  (a) The machine-stitching runs to the end on 1 side of each corner; and on the other side, the	37.60	•••••	* <b>D</b> o.
	space left open for hand-rolling at the cerner is not less than 14 inch nor more than 1 inch; and (b) Both sides of the corners are hand-rolled; but the hand-rolling is not longer than 2 inches on any corner.			
135 136	Hemstitching, double (tru-tru), 4 threads in a bundle, thread drawing not included. Hemstitching, single, 4 threads in a bundle, thread drawing not included.	0.33 4.89	າ.ສ <b>4.</b> ສ	Per dezen inches. Do.
137	thread drawing not included. Initials, simple, with books	22.50		De.
138	Initials, simple, with hoops Initials, simple, without hoops	13.95		Do.
139 140	Lace, joined at corners with hemming stitch Leaves, simple	6.75 .84	.84	Do. Fer dozen.
141 142	Leaves, solid, not finished off, 34" long.  Leaves, solid, not finished off, 36" to 34" long.  Leaves, solid, not finished off, 58" to 34" long.	3,00 4,50	3.00 4.60	Do. Do.
143	Leaves, solid, not finished off, 56" to 34" long	0.00	0.00	De.
144	Loops, made with worm stitch, "	Propertienate	1.60 omteferetker	Do.
	Desides 11/1 - 11/1 to 11/1 - 14/1 Hospita to 1500	leng	ths.	The description
145	Pasadas, 11" x 11" to 14" x 14", linen up to 1600 count, inclusive.	4.50		Per dozen paradas.
146	Pasadas, 11" x 11" to 14" x 14", linen 1700 count and over. Pasadas, 15" x 15" linen up to 1600 count, in-	0.83 7.65		Do. Do.
147	alucica	2.45	**********	De.
148 149	Pasadas, 15" x 15", linen 1700 count and over Pasadas, 16" x 16" to 20" x 20" linen up to 1400 count, inclusive.	10.80		Do.
150	Pasadas, short, 1" to 7" linen up to 1600 count, inclusive.	234	••••••	Do.
	Pasadas, short:	of 100, add	litional count 0.00 cents.	
151	Cambric, 1" to 10" Crash, 1" to 10" Cambric, 1012" to 18"		4.10 3.23	Do. Do.
152 153	Cambrie, 10½" to 15"		8,00	Do.
154 155	Crash, 10)2" to 18" Patches, circular, sewed on with hemming stitch,		6.75 4.92	Do. Per dozen inches.
156	cutting included.  Patches, irregular outline, sewed on with hemming		٧.٤3	Do.
156.1	Patches, irregular outline, sewed on with blind		6.23	Do
156.2	stitch, up to 4" Patches, irregular outline, sewed on with blind stitch, over 4"		3,20	Do.
157	Patches, rectangular, sewed on with hemming stitch, cutting included.		4.01	Do.
158	Pin stiten, thread drawing not included, I'	64.00	54.00	Per dezen equares.
159 160	Randa, Don Diego, thread drawing not included. Randa, Mexican, tied at center only, thread drawing not included.	10.13 2.23	19.13 2.25	For decen inches.
161	Randa, simple, not stitened at elther side, thread drawing not included.	1.70 0.03	1.70 g.gg	Da. Per dezen.
162 163 164	Rose buds, worm stitch, 4 worms, 2 colors or tenes. Scallops, plain, cutting included	7.45	7.65 14.60	Per dezen inches. Do.
165 166	Spiders, 4 legs.	4.50	4.60 8.81	Per dozen. Do.
		l	<u> </u>	<u></u>

 $<sup>^{2}\</sup>mathrm{For}$  description of operations included under "hand-cewing," cee definitions in applicable section of wage order.

### **RULES AND REGULATIONS**

SCHEDULE B—PIECE RATE SCHEDULE FOR THE HANDKERCHIEF AND SQUARE SCARE DIVISION AND THE ART LINEN AND NEEDLEFOINT DIVISION OF THE NEEDLEWORK AND FABRICATED TEXTILE PRODUCTS INDUSTRY IN PUERTO RICO—Continued

No.	Operation.	Piece rate (co hourly rate	nts) based on of 2232 cents	Unit of payment
2,0,		Cambric	Crash	
167. 0 167. 2 167. 4 167. 6 167. 7 167. 8 168. 1 168. 2 168. 3 168. 4 168. 5	Thread drawing: Art linens, first thread, not coming out at edge: Stamped, 1" to 10" Not stamped, 1" to 10" Art linens, unstamped, first thread, alf-around, not coming out at edge: Dollies 12" x 18" Napkins: 12" x 12" 15" x 15" 18" x 18" Scarves: 17" x 36" 17" x 45" 17" x 45" 17" x 54" Squares: 36" x 36" 45" x 45" Art linens, unstamped, first thread at one end, coming out at both edges: Towels: 9" x 15" 15" x 24" 15" x 30" Art linens, after first thread	15. 83 18. 58 21. 28 21. 59 26. 97 32. 37 For second threads, 22 rate for fire	1. 20 7. 32 6. 09 7. 32 8. 45 11. 38 12. 83 14. 25 14. 39 17. 11 19. 99 1. 13 1. 65 1. 89 and third of percent of threads, 15 rate for first	Per dozen threads.' Do.  Per dozen ploces.  Do. Do. Do. Do. Do. Do. Do. Do. Do. D
No.	Operation	Piece rate (co hourly rate	ents) based on of 221/2 cents	Unit of payment
170 171 172	Handkerchiefs, ladies: First thread, cotton or linen, up to 1600 count, inclusive: Coming out at both edges	2, 25		Por dozon threads. Do.
173 174 175 176 177	First thread, linen, up to 1500 count, inclusive, 16" x 16" to 20" x 20".  Coming out at, both edges.  Not coming out at edge.  First thread, linen, 1600 count and over, 16" x 16" to 20" x 20".  Coming out at both edges.  Not coming out at odge.  After first thread.	3. 4. For second threads, 2	38 95 50 and third 0 percent of st thread; for threads, 15 rate for first	Do. Do. Do. Do.

		Piece rate (dollars) based on hourly rate of 221/2 cents															
No.	Operation	Doilies				Napkins		Table scarves		Squares		1	Table cloths		hs	Unit of payment	
		8" x 16"	10" x 14"	12" x 18"	12" x 12"	15" x 15"	18" x 18"	17" x 36"	17" x 45"	17" x 54"	36" x 36"	45" x 45"	54" x 54"	54" x 72"	72" x 72"	72" x 90"	
179	Half roll, cambric and crash, at 2.46	\$1,18	\$1,18	\$1.47	\$1.18	\$1.47	\$1.77	\$2,61	\$3.05	\$3.50	\$3.54	\$1.42	\$5, 31	\$6, 20	\$7.03	\$7.93	Por dozon.
180	cents per dozen inches.  Hand or French rolling, 10 stitches or less per inch, cambric and crash, at 1.59 cents per dozen inches.	.77	.77	.96	.77	.96	1,14	1,68	1,97	2, 26	2,30	2.87	3.44	4.01	4,58	5, 15	Do.
181	Hemming stitch over pasada, measur- ing all around edge: Cambric at 1.50 cents per dozen inches.	.72	.72	.90	.72	.90	1.08	1.59	1.86	2,13	2, 16	2,70	3. 24	3.78	4.32	4.86	Do.
182		.68	.68	.84	.68	.84	1.02	1,49	1.74	2.00	2.03	2, 54	3.05	3,54	4.05	4,58	Do.
183	Cambric, at 1.50 cents per dozen	.72	.72	.90	.72	.90	1.08	1.59	1.86	2,13	2,16	2.70	3, 24	3.78	4.32	4.86	Do.
184	Crash, at 1.41 cents per dozen inches_ Second seams, for separate borders, with French corners, measuring	.68	.68	.84	.68	.84	1.02	1.49	1,74	2,00	2,03	2, 54	3.05	3, 54	4.05	4,56	Do.
85	all around edge. Cambric, at 1.69 cents per dozen	81	.81	1.02	.81	1.02	1, 22	1.79	- 2.10	2.40	2,43	3.05	3,65	4.26	4.86	5.43	Do.
86	inches. Crash, at 1.50 cents per dozen inches.	.72	.72	.90	.72	.90	1.08	1.59	1.86	2.13	2, 16	2.70	3.21	3.78	4.32	4.86	Do.

Schedule B—Piece Rate Schedule for the Handkerchief and Square Scand Division and the Art Linen and Needlepoint Division of the Needlework and Fabricated Textile Peodletts Industry in Puerto Rico—Continued

No.	Operation	Pices más (based en beurly más ef 40 cents)	Unit of payment
	NON-HAND-SEWING OPERATIONS		
	Hand-cutting machine-embroidered, shallow, curved scallops on hand- kerchiefs or square scarves:	Cents	
187.4	Small, measuring from He" up to, but not including, H" along outside edge.	0,21	Per deren emllege.
187.5	Medium, measuring from 55" up to, but not including, 75" along outside edge.	.27	<b>D</b> 3.
187.6	Large, measuring from 36" to, and inclusivo of, 134", along outsido edge.	.49	<b>D</b> 2.

Schedule C—Piece Rate Schedule for the Fabric Glove and Leather Glove Divisions of the Needlework and Fabricated Textile Products Industry in Puento Rico 1

		Picca rat hou	e (cents) b rly rates of	ccal on	
No.	Operation	Lodies' woven or knitted		epres;	Unit of payment
-		fabrio gloves 2 (221/2 cents)	Todies,	Mcn's	
188 189	Buttons, slip stitched with tape, 1 button per glove Buttonholes, stitched in and outside, 1 buttonhole per glove.			45.000 60.000	Per daren pairs. Da.
190 191 192	Crede stitch, 5 to 6 stitches per inch Egyptian stitch, 5 to 6 stitches per inch	0,233	0.412		Per inch. De. De.
193 194 195	Feather stitch, 5 to 6 stitches per inch Large stitch (husky), 5 to 6 stitches per inch Regular stitch, 5 to 6 stitches per inch	.352 .231 .149	.617 .533	.370 .370 .233	Da. Da. Da. Da.
195 -	Slip stitch, hem only, 5 to 6 stitches per inch. Slip stitch, reinforcement on slit, 5 to 6 stitches per inch. <sup>3</sup>	.123	.235 222.	:23	Ďã.
197 198	Swagger stitch, 5 to 6 stitches per inch. Whip stitch, 5 to 6 stitches per inch.	.231 .231	: ::::::::::::::::::::::::::::::::::::	.370 .370	Do. Do.

<sup>&</sup>lt;sup>1</sup> For description of operations included under "hand-sawing", see definitions in applicable scaling of wage order.

<sup>2</sup> The hourly minimum rates applicable to leather gloves are also applicable to combination leather and fabric gloves. However, piece rates for combination leather and fabric gloves must be set by employers in accordance with § 545.10.

<sup>3</sup> When facing has been sawn on by machine.

SCHEDULE D-PIECE RATE SCHEDULE FOR THE NEEDLEFORT DIVISION OF THE NEEDLEWORE AND PARKELYZED TEXTILE PRODUCTS INDUSTRY IN PURITO RICO!

No.	Operation	Picco mio (cents) beced on bourly mio of My cents	Valt of payment
200 201 202 203 204 205	Compact florals, figures and landscapes.  Scattered florals.  Scattered florals consisting of borders or garlands only.  Combinations of compact center and scattered borders in which the compact portion totals 45 percent or more of the total design.  Combinations of compact center and scattered borders in which the compact portion totals less than 45 percent of the entire design.  One and two-tenths cents must be added to the above piece rates to cover thumb-tack mounting on frame, for each piece of canvas. Employers using other methods must set individual rates for mounting and removing canvas in accordance with section 545.10.	\$6886 \$1886 \$1	Per 1,669 editelien. Do. Do. Do. Do.

<sup>&</sup>lt;sup>1</sup>The piece rates apply only to "hand-sewing" operations. For description of operations included under "hand-ewing", see definition in applicable section of wage order.

### EXCEPTIONS

These piece rates do not apply to the following types of needlepoint. For these, and all other varieties of needlepoint not covered by the schedule and definitions, piece rates must be not by employers in coverdance with Requations 545.10.

1. Florals having more than 10,000 stitches.
2. Florals having more than 36 color tones.
3. Figures and landscapes having more than 3,000 stitches.
4. Figures and landscapes having more than 25 color tones.
5. Petit point.

5. Petit point.
6. Stamped grospoint.

### DEFINITIONS

1. A scattered design is one in which 50 percent or more of the component parts, when finished, are expanded by spaces of unsewn canvas.

2. A compact design is one in which 50 percent or more of the finished piece contains no spaces of uncewn canvas.

[F. R. Doc. 55-9027; Filed, Nov. 8, 1955; 8:51 a. m.]

### TITLE 6—AGRICULTURAL CREDIT

Chapter IV—Commodity Stabilization Service and Commodity Credit Corporation, Department of Agricul-

Leans, Purchases and Other Sobshaptor B-Operations

### PART 472—WOOL

SUBPART-TERLIS OF SALE OF WOOD OWNED BY COMMODITY CREDIT CORPORATION (INCLUDING SALES BY COMPETITIVE BIDS)

### Correction

In F. R. Document 55-8925, appearing in the issue for Thursday, November 3, 1955, at page 8245, make the following change: In the fifth sentence of § 472.538, the word "as" preceding "omission" should read "an"

### TITLE 16—COMMERCIAL **PRACTICES**

### Chapter I—Federal Trade Commission

[Docket 6351]

PART 13-DIGEST OF CEASE AND DESIST **OFDERS** 

IUSS YOUTH FORM CREATIONS CORP. ET AL.

Subpart-Advertising falsely or misleadingly: § 13.155 Prices: Comparative; Usual as reduced, special, etc., § 13.175 Quality of product or service; § 13.285 Value. Subpart—Misrepresenting one-self and goods—Goods: § 13.1715 Quality; § 13.1775 Value; [Misrepresenting oneself and goods]—Prices: § 13.1785 Comparative; § 13.1825 Usual as reduced or to be increased.

(Sec. 6, 38 Stat. 721; 15 U. S. C. 46. Interpret or apply eec. 5, 38 Stat. 719, as amended; 15 U. S. C. 45) [Cears and desist order, Miss Youth Form Creations Corporation et al., Net? York, N. Y., Dochet 6351, October 25, 1935.1

In the Matter of Miss Youth Form Creations Corporation, a Corporation, and Sid Kay and Irving L. Brown, Individually and as Officers of Said Corporation.

This proceeding was heard by J. Earl Cox, hearing examiner, upon the complaint of the Commission — which charged respondents with misrepresenting the retail selling price, or savings m the purchase, or the quality or value, of women's slips and underclothes, on advertising mats, reprints, and other promotional material supplied to retailers and dealers, and on the tickets affixed to the garments-and an agreement between respondents and counsel for the parties providing for the entry of a consent order in accordance with § 3.25 of the Commission's rules of practice.

On this basis, the hearing examiner made his initial decision and order to cease and desist, which by the Commission's order of October 25, 1955, pursuant to § 3.21 of the rules of practice, became, on that date, the "Decision of the Commission"

The order to cease and desist is as follows:

It is ordered, That respondents, Miss Youth Form Creations Corporation, a corporation, and its officers, and Sid Kay and Irving L. Brown, individually and as officers of said corporate respondent, and said respondents' agents, representatives and employees, directly or through any corporate or other device, in connection with the offering for sale, sale or distribution of women's wearing apparel, including underclothes and slips, in commerce, as "commerce" defined in the Federal Trade Commission act, do forthwith cease and desist from: Representing, directly, indirectly, or by implication, or providing retailers, dealers, or others with advertising mats, reprints, and pre-ticketed merchandise or other material, device, or plans which represent, directly, indirectly, or by implication:

1. That the regular retail selling price of respondents' said wearing apparel is any amount greater than the prices at which such wearing apparel is usually and customarily sold at retail by retailers regularly selling such wearing apparel;

2. That any retail price of said wearing apparel is a reduced price unless such price represents a reduction from the price at which respondents' said wearing apparel is or was usually and customarily sold at retail in the regular course of business or that any savings, from regular retail prices for respondents' said wearing apparel are afforded to purchasers thereof when the price designated constitutes the regular retail selling price of respondents' said wearing apparel;

3. That the retail value of respondents' said wearing apparel is equal to the retail selling price of higher-priced merchandise made by other manufacturers and regularly selling or having been sold contemporaneously in the same general trade area supplied by respondents and such other manufacturers, unless respondents' said wearing apparel is in fact of a grade and quality comparable to said higher-priced merchandise, in which case respondents may so represent.

By said "Decision of the Commission" report of compliance was required as

report of

It is ordered, That respondents Miss Youth Form Creations Corporation, a corporation and Sid Kay and Irving L. Brown, individually and as officers of said corporation, shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with the order to cease and desist.

Issued: October 25, 1955.

By the Commission.

[SEAL] ROBERT M. PARRISH, Secretary.

[F. R. Doc. 55-9046; Filed, Nov. 8, 1955; 8:56 a. m.]

[Docket 6374]

PART 13—DIGEST OF CEASE AND DESIST ORDERS

CHESTER-KENT, INC.

Subpart—Advertising falsely or misleadingly: § 13.170 Qualities or properties of product or service.

(Sec. 6, 38 Stat. 721; 15 U. S. C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; 15 U. S. C. 45) [Cease and desist order, Chester-Kent, Inc., St. Paul, Minn., Docket 6374, October 26, 1955]

This proceeding was heard by Abner E. Lipscomb, hearing examiner, upon the complaint of the Commission—which charged respondent corporation with falsely advertising the health-giving properties of its products "Yo-Zyme" and "Vinol Tonic"—and an agreement between respondent and counsel supporting the complaint providing for the entry of a consent order in accordance with § 3.25 of the Commission's rules of practice.

Upon this basis, the hearing examiner made his initial decision and order to cease and desist, which by the Commission's order of October 26, 1955, pursuant to § 3.21 of the rules of practice, became, on that date, the "Decision of the Commission"

The order to cease and desist is as follows:

It is ordered, That the Respondent, Chester-Kent, Inc., a corporation, and its officers, agents, representatives and employees, directly or through any corporate or other device, in connection with the offering for sale, sale or distribution of Yo-Zyme and Vinol Tonic, or any other products of substantially the same composition or possessing substantially similar properties, whether sold under the same name or under any other name, do forthwith cease and desist from, directly or indirectly

1. Disseminating, or causing to be disseminated, by means of the United States mails, or by any means in commerce, as "commerce" is defined in the Federal Trade Commission Act, any advertisement which represents, directly or by implication:

(a) That the use of Yo-Zyme as directed:

(1) Will be effective in supplanting noxious bacteria in the intestines:

(2) Will be effective in checking the growth of putrefying bacteria in the intestines;

(3) Will be effective in promoting healthy intestinal flora,

(4) Will be effective in maintaining lactic-acid-producing organisms in the intestines:

(5) Will be effective in adding the absorption of alkaline minerals;

(6) Will be effective in protecting vitamins;

(7) Will be effective in the treatment of constipation or headaches;

(b) That the use of Yo-Zyme, without regard to the amount taken:

(1) Will be effective in aiding the digestion of other food, by supplying protein-splitting enzymes or otherwise:

(2) Will improve digestion or intestinal health;

(3) Will establish body resistance to disease:

(4) Will be effective in the treatment of weak kidneys, gall-bladder troubles, nervousness, lack of pep, ülcers, gas stomach upsets, diarrhea, nausea, eczema and hemorrhoids;

(c) That the use of Vinol Tonic will give young children or older people pep and energy unless those persons lack such pep and energy due solely to iron deficiency:

(d) That all pregnant women will de-

velop an iron deficiency anemia unless they receive vigorous iron therapy;

2. Disseminating, or causing to be disseminated, any advertisements, by any means, for the purpose of inducing, or which is likely to induce, directly or indirectly, the purchase in commerce, as "commerce" is defined in the Federal Trade Commission Act, of the food and drug preparations "Yo-Zyme" and "Vinol Tonic," which advertisement contains any of the representations prohibited in paragraph 1 of this order.

By said "Decision of the Commission", report of compliance was required as follows:

It is ordered, That respondent Chester-Kent, Inc., a corporation, shall, withm sixty (60) days after service upon it of this order, file with the Commission a report in writing setting forth in detail the manner and form in which it has complied with the order to cease and desist.

Issued: October 26, 1955.

By the Commission.

[SEAL] ROBERT M. PARRISH, Secretary.

[F. R. Doc. 55-9047; Filed; Nov. 8, 1955; 8:56 a. m.]

### TITLE 14—CIVIL AVIATION

Chapter II—Civil Aeronautics Administration, Department of Commerco

[Amdt. 169]

PART 609—STANDARD INSTRUMENT APPROACH PROCEDURES

PROCEDURE ALTERATIONS

The standard instrument approach procedure alterations appearing hereinafter are adopted to become effective when indicated in order to promote safety. Compliance with the notice, procedures, and effective date provisions of section 4 of the Administrative Procedure Act would be impracticable and contrary to the public interest, and therefore is not required.

Part 609 is amended as follows:

'Note: Where the general classification (LFR, VAR, ADF, ILS, GCA, or VOR), location, and procedure number (if any) of any procedure in the amendments which follow, are identical with an existing procedure, that procedure is to be substituted for the existing one, as of the effective date given, to the extent that it differs from the existing procedure; where a procedure is canceled, the existing procedure is revoked; new procedures are to be placed in appropriate alphabetical sequence within the section amended.

### The low frequency range procedures prescribed in § 609 6 are amended to read in part:

LFR Standard Instrument Approach Procedure

Bearing, headings and courses are magnetic Distances are in statute miles unless otherwise indicated Elevations and altitudes are in feet, MSL. Collings are in feet above alread at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted at the below named airport. It shall be in accordance with the following instrument approach is conducted in accordance with the following instrument approach is conducted in accordance with the additional in the particular area or as set forth below

litude (outbound and inbound); (ft ) altitudes; limiting dis-	
	and dis altitude (ou
	}
4	*

### The automatic direction finding procedures prescribed in § 609 8 are amended to read in part: C/J

Berine, healine, and raine and me Definees and netationally authority of filled in the Collings and in feet above of the condition and the behavior of the behavior of the condition of the condi

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# The very high frequency omnirange procedures prescribed in § 609 9 (a) are amended to read in part:

VOR STANDARD INSTRUMENT APPROACH PROCEDURE

Bertnes, headings, and courses are magnetic. Distances are in statute miles unless otherwise indicated. Elevations and altitudes are in feet, MSL Collings are in feet above airport elevation.

1. A VOR instrument approach is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure authorized by the Administrator for Civil Aeronautics for such airport. Initial approaches shall be made over specified routes. Minimum altitude(s) shall correspond with those established for en route operation in the particular area or as set forth below.

	If visual contact not established at author ized landing minimums after passing facility within distance specified or if		11	#Within 3 miles on course 360° outbound, at 600° mean sea, level day, 800° mean sea, level day, 800° mean sea, level night, climb to 3,000 on course 380° within 10 miles, reverse course climbing to 5,000 over VOR station.  "High termin to SE "USO I Loran Station Tower 334° above mean sea level approximately 1.5 miles SW of afropt (18°, 45° off O/Lof runway).  "Deviation authorized in missed approach distance exceeding distance facility to airport	Within 2 I miles, turn right, climb to 3 000' on course 355° within 25 miles, #Westerly takeoffs 800-2 day or night	Climb to 2,000 on E course LAX LFR or LAX radial 074 no farther E than Dow noy FM/RBN.	
minimums	Type aircraft	More than 75 m p h	10	200-11 1 000-11 1 000-12 1 000-12	88 400-1 600-1 600-1 600-1 600-2 600-2 600-2 600-2 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600	300-1	100-1 800-1 800-1 800-1
Celling and visibility minimums	Type	76 m.p. h or less	6	2 engines or less 600-154 600-154 700-3 1 000-3	2 engines or less 400-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1 600-1	engines or less 300 1 500-1	More than 2 engines du
Celling at		Condition	8	7-7-00-4 	P. S. S. P.	F.0%	Runway 7R A-dn O-dn S-dn S-dn Runway A-dn A-dn A-dn A-dn A-dn
	Course and distance, facility to	airport	7	#360—1 5	200-21	070-1 4	·
Minimum	altitudo over facility on final	approach course (ft )	9	1 400	000	009	
Decordance from (-) aldo of	final approach course (outbound and inbound);		9	N side of course:* 250° outbound 070 inbound. 3 000° within 10 miles	N side of course: 080° outbound: 200° within 10 miles	S side of course: 250° outbound 070° inbound 1 600° within 10 miles	
	Minimum altitude		4			3,000	009
	Course		8			246—7 0 173—13 0	070—6 0 nautical miles
	Initial approach to facility from—		2		١,		6 nautical miles from LAX VOR on radial 250° as re ported by LAX radar or by DME Fix (final)
	City and State; airport name, olevation; facility: class and identification; procedure No;	eliective date		HAWI, HAWAII. Upolu Aliport 90' BYOR-UPP Procedure No. 1 Amendment No. 0-2 Effective date: December 10 1954. Supersedes 0-1, dated Decem ber 1, 1953. Major changes: New format; lower minima; dange missed approach; etc., and ariport names changed to agree with C & G S informa tion	HILO, HAWAII General Lyman Alrport 30 BVOR-ITIO. Procedure No. 1 Amendment No. 0-4 Effective date: December 10, 1955. Supersedes Amendment 0-3 dated November 1, 1953. Major changes: New format, ohange in minima	LOS ANGELES, OALIF International, 125 BVOR-LAX Procedure No 1	Orginal. Effective date: December 10 1935

0

137°-164°-0 600'

## 4 The instrument landing system procedures prescribed in § 609 11 are amended to read in part:

ILS STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings headings, and courses are magnetic. Distances are in statute miles unless otherwise indicated. Blovestions and attitudes are in feet, MaL. Collings are in feet above alreading all adifferent procedure authorized. If an ILB instrument approach is conducted at the below named already it shall be in accordance with the following instrument approach is conducted in accordance with a different procedure authorized by the Administrator for Olvil Accountified to reach already and precedure and over specified ready of the made over specified ready and introduced with those established for an reade operation in the particular area or as set forth below:

y, N	ovei	nber S	9, 19	55				F	DE	RAL R	EGIST	TER		
	If visual contact not established upon descent to authorized land	accomplished	13	Olimb to 6,600 on W course PIII-	PIR-VOR within 25 miles of respective stations.	Alternate migral approach when directed by ATG, turn right and climb to 7 foot on N cour a of PIHE-LET or on 332, radial of the principle of the state of the sta	respective stations.	SW of alrest.						
sanajuju	ireraft	More than 76 m p h	ដ	52	777 88	300-34	1-009	C00-2	£00-5	5 5 5 5 5 5 5 5 5 5 5 5 5 5 5 5 5 5 5	77-683	23-132	£-(83	2-003
visibility n	Typo aircraft	76 m.p.h or less	11	glnes or le	200 200 200 200 200 200 200 200 200 200	36 <b>-0</b> 02	1 000	C-003	<b>2-0</b> 03	More than 2 cuglues 24 Co-d Co		<u> </u>		
Colling and visibility minimums		Condition	10	13 E	100	Runway 21	ADE	A-dn II.S	ADF	Men Puln Columbia	Rungay21	ADE	A-dh ILS	ADE
lide slope	of runway	Middlo marker	c	4, 660-0 0										
Altitude of glide slope and distance to ap	proach end	Outer marker	8	6,010-4 2										
	Minimum alti tudo at glido slope intercep	tion inbound (ft.)	2	1LS 7,000	ADF over									
Procedure turn (-) side of final approach course (outbound and tudes) limiting distances  Source:  Source: Course: Cou							-							
	Mini	mum al titudes (ft )	20	2,000	2,000	2,000								
	į	and dis tanco	4	029-10 0	024-0 0	207—3								
Transition to IDB		/ro-	3	LOM	LOM	row								
Tr		From—	8	PIII-VOR		Intersection NE course ILS and 027°, bearing from LOM or SW course IDA-LFR								
	Offy and State; alrport name, clovation; facility: class and identification:	proceduro No ; offeetivo dato	1	POCATELLO IDAHO	ICS-PIH LOM-PL	Combination II.S/ADE Freecdure No. 1 Amendment No. 1. Effective date: Decem	Supersides Amendment	Mojor changes New	cate transition under	takenit and the included inclu				

651) ø យ Interpret or apply eco 601, 63 Stat 1007, as amended; 49 T These procedures shall become effective on the dates indicated in Column 1 of the procedures (See 203 62 Stat 684, as amended; 49 U S O 426

Ħ R Doc 65-8973; Filed, Nov 8 1955; 8:45 a 

301°-360°-6,000' 001°-070°-10,500' 077°-120°-6 000 131°-120°-5 400' 331°-330°-13,00' 331°-36°-7,500' 077°-13,00' 077°-13,00' 077°-13,00' 137°-130°-8 500' 137°-130°-8 500'
4784): The text in column 2 should read as follows:  Scator admuths progress elositation, within 5 nautical miles:  181-280°—8 000° •  281-280°—6,400°  Within 10 nautical miles:  181-300°—11 600 •
Part 609—Standard Restructure Approach Procedures Frocedure Arenamons Correction In Federal Register Document 66-8266, published at page 7776, October 16, 1966, issue, the following change should be made in the table for \$609 13 (page

### TITLE 39—POSTAL SERVICE Chapter I-Post Office Department

PART 56—SPECIAL DELIVERY

PART 110-RATES AND SHIPPING REQUIREMENTS

MISCELLANEOUS AMENDMENTS

a. In the amendment to § 56.2 Payment for special delivery published at 20 F R. 7837 under date of October 19. 1955, change the designation of the paragraph amended from paragraph "(c) (1)" to paragraph "(d) (1)"

(R. S. 161, 396, sec. 2, 24 Stat. 221, secs. 304, 309, 42 Stat. 24, 25, sec. 12, 65 Stat. 676; 5 U. S. C. 22, 369, 39 U. S. C. 171, 246f)

b. In § 110.1 Rates and shipping requirements make the following changes:

1. In the table amend the country item "U. S. S. R." by changing the surface parcel post rates applicable thereto from 90 cents for the first pound and 23 cents for each additional pound to 92 cents for the first pound and 25 cents for each additional pound.

2. Strike out footnote 40.

(R. S. 161, 396, 398; secs. 304, 309, 42 Stat. 24, 25, 48 Stat. 943; 5 U.S. C. 22, 369, 372)

[SEAL]

LEO G. KNOLL, Acting Solicitor

[F. R. Doc. 55-8990; Filed, Nov. 8, 1955; 8:45 a. m.1

### TITLE 47—TELECOMMUNI-CATION

### Chapter I—Federal Communications Commission

[Docket No. 11094; FCC 55-1096] [Rules Amdt. 3-60]

PART 3-RADIO BROADCAST SERVICES

MISCELLANEOUS AMENDMENTS

In the matter of amendment of Part 3 of the Commission's rules governing television broadcast stations.

- 1. The Commission has under consideration its Notice of Proposed Rule Making issued in this proceeding on June 24, 1954 (FCC 54-797) and published in the FEDERAL REGISTER on June 29, 1954 (19 F R. 3941) proposing rules governing the operation of frequency and modulation monitors and monitoring equipment for visual and aural transmitters of television broadcast stations and type approval for such monitors.
- 2. Comments suggesting certain changes in the proposed rules have been filed by the General Radio Company, Cambridge, Massachusetts, and General Electric Company, Schenectady, New These comments are discussed York. below.
- 3. Section 3.693, as proposed, relates to requirements for type approval of frequency monitors. One of the provisions of this section requires monitors to have a certain accuracy when the electrical power supply varies between 85 percent and 115 percent of the normal voltage supply for which the monitor is designed. Both General Electric

Company and General Radio Company urge that this provision be altered to require a power supply voltage from 105 volts to 125 volts (or from 210 to 250 volts) since most of the monitors in current use are designed for power supply voltages from 105 to 125 volts. It is further urged that the accuracy and stability requirements of television monitors are very severe and that it is both unnecessary and uneconomical to burden the equipment with the wide voltage variation proposed in this proceeding. The parties assert that experience indicates that a specific line voltage range of 105 to 125 volts has been more than adequate to meet the varying needs of the broadcast industry. They note that if the supply voltage varies from 85 to 115 percent, much of the equipment normally employed in television transmitter operation would cease to function. It may be noted that if the normal supply voltage for which a monitor is designed is 115 volts, a variation from 105 to 125 volts would be equivalent to approximately 90 to 110 percent of the design voltage. Since monitors may be designed for other than a normal supply voltage of 115 volts, we believe that a percentage value should be specified in the rules. Accordingly, and in light of the comments filed by the parties, we have changed § 3.693 (a) (1) to specify a variation of 90 percent to 110 percent, which is approximately equivalent to the value recommended by the parties.

4. Section 3.692, as proposed, relates to the general requirements for type approval of monitors. Paragraph (c) of this proposed rule provided that once a type approval number has been assigned by the Commission, no changes whatsoever would be permitted without specific Commission authorization. General Electric Company urges that this proviso be modified to permit the licensee or manufacturer to effect minor changes without prior Commission approval where such changes do not affect the performance of the monitor in accordance with the specifications. In the proceedings in Docket No. 10798 (Subpart F of Part 2 of the rules—Equipment Type Approval) the matter of minor changes in type approved and type accepted equipment was considered. The Commission determined in that proceeding that no changes would be permitted in type approved equipment without prior Commission authorization, and we see no necessity for adopting the suggestion with respect to minor changes advanced in the instant proceeding. However, in view of our action in Docket No. 10798, we are changing the language of § 3.692 (c) to conform to § 2.540 (b) in order that all related parts of the rules will be consistent.

5. Section 3.692 (b) as proposed, which relates to general requirements for type approval of frequency and modulation monitors, provides that "these monitors may have limited range over which the visual indicator will determine deviations." General Electric General Electric Company notes that the reference in the rule to "these monitors" is ambiguous since it might refer to frequency monitors. modulation monitors, or both. It is our intention that the provision for adjunct equipment be applicable to the frequency monitor only and we have revised the wording of this section to remove the ambiguity.

6. The General Radio Company suggests that § 3.693, which deals with visual and aural frequency monitors, be divided into two parts, one for visual monitors and one for aural monitors, in order to avoid a confusion between the specifications of the two separate functions, We see no necessity, however, for bifurcating the rule since most of the requirements for the visual and aural mon-itors are identical. Two separate sections would cause unnecessary duplication of language. We are therefore rejecting

this suggestion.

7. Section 3.696 (a) (1), as proposed, sets forth the accuracy with which a monitor is required to operate. General Radio submits that the accuracy and stability of an oscillator must be considered together, and suggests that a statement of accuracy should include a time period. General Radio suggests that 10 to 90 days would be representative of the length of time that a reasonably stable crystal oscillator will remain within the proposed tolerance. Commission agrees that the stability of a monitor should be taken into account as one of the requirements for type approval. We have therefore revised § 3.693 (a) (1) to require that a monitor under test remain within the specified tolerance over a period of 30 days.

8. In our notice of proposed rule making we provided for type approval of frequency monitors which indicate directly the frequency of the carrier wave of a transmitter. General Radio urges that provision should also be made for the alternative use of a frequency monitor which would indicate the difference between the visual and aural carrier frequencies since the frequency tolerance is specified in terms of absolute visual carrier frequency, and in terms of difference-frequency (aural frequency 4.5 Mo above visual frequency) General Radio notes that such a monitor is under development. The Commission has revised § 3.693 to provide for direct-reading and difference-frequency monitors.

9. Paragraph (a) (2) of § 3.693, as proposed, sets forth the range of the scale on the indicating instrument of the frequency monitor. General Radio urges that the visual carrier frequency indicating device have a scale length of ±1500 cycles instead of the ±3000 proposed since the scale ranges have as a matter of precedent been selected to give a scale length of plus or minus 1.5 times the tolerance. Since the tolerance is ±1000 cycles, the indicating device would have a scale length of ±1500 cycles. General Radio states that a great majority of monitors in use are provided with a ±1500 cycle scale. Upon careful consideration of General Radio's contentions, we are of the opinion that a minimum ±1500 cycle scale for the visual monitor should be adopted. A minimum ±3000 cycle scale is being adopted for aural frequency monitors.

10: Section 3.694, as proposed, relates to the requirements for type approval of aural modulation monitors. One of the requirements is that the modulationpeak indicating device be capable of reading either positive or negative swings. General Radio notes that its existing aural modulation monitors operate on positive peaks only and urges that the Commission's proposed requirement would create a serious field service problem since it would be necessary to change all existing monitors now in use so that the modulation peak indicator could be switched from positive to negative response. It is also contended that it is not generally considered significant, with frequency modulation, to be able to reverse the polarity. The rules specify a maximum frequency swing of  $\pm 25$  kc. In general, the positive and negative peak swings during modulation with a complex wave, as is encountered in practice, are not identical. Therefore, if the monitor is capable of indicating only one polarity of modulation, it is quite possible that the station may unknowingly operate with overmodulation on the peaks of the other polarity. Furthermore, section 8 B (2) of the FM Standards contains the same requirements as those set out in the proposed rule. Accordingly, we are adopting the requirement as proposed, except that, until June 1, 1957, monitors having meters which read either positive or negative swings will be eligible for type approval.

11. General Radio suggests that a paragraph be added to § 3.694 (b), as proposed, which would provide for the inclusion of an auxiliary output circuit in the aural modulation monitor to provide a means of making proof-of-performance tests. While we have no objection to such circuit being built into the aural modulation monitor, we do not believe that such a circuit should be provided for specifically in the rules.

12. Section 3.687 (c) (6) prescribes the procedure to be followed when a monitor becomes defective. We have removed the text of this paragraph and have transferred the pertinent portions to the new rules dealing with frequency and modulation monitors.

13. Section 3.687 (c) (1) as proposed, requires the transmitter to have automatic means to maintain the carrier frequency within specified limits. The television rules, however, do not specify a frequency tolerance as do the rules relating to AM and FM broadcast stations. In order to be consistent, we are adopting a frequency tolerance rule (§ 3.668) for television which will require that the carrier frequency of the visual transmitter be maintained within ±1000 cycles of the authorized carrier frequency and that the carrier frequency of the aural transmitter be maintained 4.5 mc above the visual carrier frequency within ±1000 cycles. Since the tolerance requirements that we are establishing are the same as those required of transmitters under § 3.687 (c) (1) as adopted in this proceeding, we are of the view that we may adopt the new frequency tolerance requirements without further rule making proceedings.

14. Upon our careful consideration of our Notice of Proposed Rule Making, and the comments filed in the proceeding, we are of the view that the public interest, convenience and necessity would be served by the adoption of the Rules as amended herein.

15. Authority for the adoption of the amendments herein is contained in sections 4 (i), 301, and 303 (b), (f) and (r) of the Communications Act of 1934, as amended.

16. In view of the foregoing: It is ordered, That effective December 12, 1955, Part 3 of the Commiscion's rules and regulations is amended as set forth below.

(Sec. 4, 48 Stat. 1066, as amended; 47 U. S. C. 154. Interpret or apply sec. 363, 48 Stat. 1032, as amended; 47 U. S. C. 303)

Adopted: November 3, 1955. Released: November 4, 1955.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] MARY JAME MORRIS,

Sccretary.

- 1. A new section is added to read as follows:
- § 3.668 Frequency tolerance. (a) The carrier frequency of the visual transmitter shall be maintained within ±1000 cycles of the authorized carrier frequency.
- (b) The center frequency of the aural transmitter shall be maintained 4.5 megacycles, ±1000 cycles, above the visual carrier frequency.
- 2. Delete the text of § 3.637 (a) (9) and insert the expression (Reserved).
- 3. Delete the first sentence of § 3.687 (b) (7).
- 4. Section 3.687 (c) is amended as follows:
- A. Delete subparagraph (1) and substitute the following:
- (1) Automatic means shall be provided in the visual transmitter to maintain the carrier frequency within ± one kilocycle of the authorized frequency; automatic means shall be provided in the aural transmitter to maintain the carrier frequency 4.5 megacycles above the visual carrier frequency within ± one kilocycle.
- B. Delete subparagraphs (5) and (6) 5. Add the following sections under a new undesignated center heading, Monitoring Equipment.
- § 3.690 Frequency monitors. (a) The licensee of each television broadcast station shall have in operation at the transmitter approved frequency monitors independent of the frequency control of the transmitters.

Note: Approved frequency monitors are included on the Commission's "Radio Equipment List, Part A, Television Broadcast Equipment." Copies of this list are available for inspection at the Commission's office in Washington, D. C., and at each of its field offices.

(b) In the event the visual or aural frequency monitor becomes defective, the station may be operated without such equipment pending its repair, or replacement for a period not in excess of

60 days without further authority of the Commission: Provided, That:

- (1) Appropriate entries shall be made in the operating log of the station to show the date and time the equipment was removed from and restored to service.
- (2) The Engineer in Charge of the Radio district in which the station is located shall be notified both immediately after the equipment is found to be defective and immediately after the repaired or replacement equipment has been installed and is functioning properly.
- (3) During the period when the station is operated without the visual or aural frequency monitor, the respective carrier frequency shall be compared with an external frequency source of known accuracy at sufficiently frequent intervals to incure that the frequency is maintained within the tolerance prescribed in § 3.637 (c) (1). An entry shall be made in the station log as to the method used and the results thereof.
- (4) If conditions beyond the control of the licensee or permittee prevent the restoration of the monitor or monitoring equipment to service within the period specified above, an informal request in accordance with § 1.332 (d) of this chapter may be filed with the Engineer in Charge of the radio district in which the station is located for such additional time as may be required to complete repairs of the defective instrument or equipment.
- § 3.691 Modulation monitors. (a) The licensee of each television broadcast station shall have in operation at the transmitter an approved modulation monitor for the aural transmitter. There shall also be employed sufficient monitoring equipment for the visual signal to determine that the signal compiles with this part.

Now: Approved aural medulation monitors are included on the Commission's "Radio Equipment List, Part A, Televicion Broadcast Equipment." Copies of this list are available for inspection at the Commission's office in Washington, D. C. and at each of its field offices.

- (b) In the event the visual monitoring equipment or the aural modulation monitor becomes defective, the station may be operated without such equipment pending its repair or replacement for a period not in excess of 60 days without further authority of the Commission: Provided, That:
- (1) Appropriate entries shall be made in the operating log of the station to show the date and time the equipment was removed from and restored to service.
- (2) The Engineer in Charge of the radio district in which the station is located shall be notified both immediately after the commendately after the repaired or replacement equipment has been installed and is functioning properly.
- (3) During the period when the station is operated without the aural modulation monitor or the visual monitoring equipment, the licensee shall provide other suitable means for insuring that the aural modulation is maintained

within the tolerance prescribed in above the assigned center frequency. § 3.687 (b) (7) and that the visual signal is maintained in accordance with the requirements of this subpart.

(4) If conditions beyond the control of the licensee or permittee prevent the restoration of the monitor or monitoring equipment to service within the period specified above, an informal request in accordance with § 1.332 (d) of this chapter may be filed with the Engineer in Charge of the radio district in which the station is located for such additional time as may be required to complete repairs of the defective instrument or equipment.

- § 3.692 General requirements for type approval of frequency and modulation monitors. (a) Any manufacturer desiring to submit a monitor for type approval shall supply the Commission with full specification details (two sworn copies) as well as the test data specified in §§ 3.693 and 3.694. If this information appears to meet the requirements of the rules, shipping instructions will be issued to the manufacturer. The shipping charges to and from the Laboratory at Laurel, Maryland, shall be paid for by the manufacturer. Approval of a monitor will only be given on the basis of the. data obtained from the sample monitor submitted to the Commission for test.
- (b) In approving a monitor upon the basis of the tests conducted by the Laboratory, the Commission merely recognizes that the type of monitor has the inherent capability of functioning in compliance with the rules, if properly constructed, maintained, and operated. The Commission realizes, that the frequency monitor may have limited range over which the visual indicator will determine deviations. Accordingly, it is necessary that adjunct equipment be used to determine major deviations.

(c) Additional rules with respect to withdrawal of type approval, modification of type approval equipment and limitations on the findings upon which type approval is based are set forth in Part 2, Subpart F of this chapter.

- (d) A monitor which is not included on the Commission's Radio Equipment List, Part A, Television Broadcast Equipment, but is in use at a television station prior to \_\_ .... mav continue to be used by the licensee, his successors or assignees in business until June 1, 1957.
- § 3.693 Requirements for type approval of frequency monitors. (a) The specifications that frequency monitors shall meet before they will be approved by the Commission are as follows:
- (1) The monitors shall have an accuracy of better than 500 cycles for 30 days under ordinary conditions (ambient, temperature from 10° centrigrade to 40° centigrade above zero, humidity from 10 percent to 95 percent relative humidity, power supply variations from 90 percent to 110 percent, and other conditions which may affect its accuracy) encountered in television broadcast stations throughout the United States.
- (2) The range of the indicating device for the aural monitor shall be at least 3000 cycles below to 3000 cycles

Alternatively, the aural monitor may use an indicating device with a similar scale to indicate the difference-frequency between the aural and visual carriers. The range of the indicating device for the visual monitor shall be at least 1500 cycles below to 1500 cycles above the assigned carrier frequency.

(3) The scale of the indicating device shall be calibrated in divisions of not

more than 100 cycles.

(4) Means shall be provided for adjustment of the monitor indication to agree with an external standard.

- (5) The monitors shall be capable of continuous operation and the circuits shall be such as to permit continuous monitoring of the transmitter carrier frequencies, and the difference-frequency between the visual and aural carriers if this method of measurement is used.
- (6) Operation of the monitors shall have no adverse effect on the operation of either the aural or visual transmitters or the signals emitted therefrom and shall be independent of the frequency control of the transmitters.

(7) Means shall be provided for in-

suring power input level.

(8) General design, construction and operation shall be in accordance with good engineering practice.

(b) Tests to be made for approval of television broadcast frequency monitors. The manufacturer of a monitor shall submit data on the following at the time of requesting approval:

(1) Constancy of oscillator frequency. as measured daily for one month, or more.

- (2) Constancy of oscillator frequency when subject to vibration tests which would correspond to the treatment received in shipping, handling and installing the instrument.
- (3) Accuracy of reading of the frequency deviation instrument.
- (4) Functioning of frequency adjustment device.
- (5) Effects on frequency readings, of the changing of tubes, of voltage variations, and of variations of room temperature through a range from 10° to 40° C.
- (6) Response of indicating instrument to small changes of frequency.
- (7) General information on the effect of tilting or tipping or other tests to determine ability of equipment to withstand shipment.

(c) Various other tests may be made or required, such as effects of variation of input from the transmitter depending upon the character of the apparatus.

- (d) Tests shall be conducted in such a manner as to approximate actual operating conditions as nearly as possible. The equipment shall be tested on the highest channel for which it is designed.
- § 3.694 Requirements for type approval of aural modulation monitors. (a) The required aural modulation monitor may or may not be a part of the frequency monitor.
- (b) The specifications that the aural modulation monitor shall meet before it will be approved by the Commission are as follows:

(1) Means shall be provided for indicating that the signal input to the modulation monitor is in the range required for proper operations.

(2) A modulation peak indicating device shall be provided that can be set at any pre-determined value from 50 to 120 percent modulation (±25 kc swing is defined as 100 percent modulation) and for either positive or negative swings (i. e. either above or below transmitter

center frequency)

(3) A quasi-peak indicator with a meter having the characteristics given below shall be used with a circuit such that peaks of modulation of duration between 40 and 90 milliseconds are indicated to 90 percent of full value and the discharge rate adjusted so that the pointer returns from full reading to within 10 percent of zero within 500 to 800 milliseconds. A switch shall be provided so that this meter will read either positive or negative swings. Until June 1, 1957, however, monitors having meters which read either positive or negative swings will be eligible for type approval.

(4) When modulation of a magnitude necessary to produce a deflection equivalent to 100 percent modulation is suddenly applied and left on, the indicating instrument shall not deflect beyond 110 percent on the first passage of the 100 percent mark and shall have excursion from the final value of less than 1 percent after one second or more.

(5) The meter scale shall be similar in appearance to that of a standard VU meter. The scale length between 0 and 100 percent modulation markings shall be at least 2.3 inches. In addition to other markings a small marker for 133 percent modulation, designated as such, should be included for the purpose of testing the transmitter with 33.3 kc swing.

(6) The indicated reading in percentage shall be accurate within ±5 (based on 100 percent modulation) at any per-

centage of modulation up to 100.

(7) The frequency characteristic curve as measured at 50 percent modulation shall not depart from a straight line more than  $\pm \frac{1}{2}$  db from 50 to 15,000 cycles. Distortion shall be kept to a minimum.

- (8) The monitor shall not absorb appreciable power from the transmitter.
- (9) Operation of the monitor shall have no adverse effect on the operation of the transmitter.
- (10) General design, construction, and operation shall be in accordance with good engineering practice.
- (c) Tests to be made for approval of television broadcast aural modulation monitors. The manufacturer of a monitor shall submit data on the following at the time of requesting approval:
- (1) Audio frequency response of the monitor from 50 to 15,000 cycles in db from the response at 400 cycles.
  - (2) Distortion in the response. (3) Input signal power required.
- (4) Permissible tolerance on input signal power to keep the meter reading correct within 5 percent units.
- (5) Ballistic characteristics of the monitor indicator.

(d) Various other tests may be made or required depending on the character of the apparatus.

(e) Tests shall be conducted in such a manner as to approximate actual operating conditions as nearly as possible. The equipment shall be tested on the highest channel for which it is designed.

[F. R. Doc. 55-9033; Filed, Nov. 8, 1955. 8:53 a. m.]

### [Docket No. 11486; FCC 55-1067] [Rules Amdt. 8-5]

PART 8-STATIONS ON SHIPBOARD IN THE MARITIME SERVICES

CERTAIN ALASKAN MARITIME FREQUENCIES AVAILABLE FOR ASSIGNMENT UNDER IN-TERIM SHIP STATION AUTHORIZATION

In the matter of amendment of Part 8 of the Commission's rules with respect to specifying certain Alaskan maritime frequencies available for assignment under an interim ship station authorization.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 2d day of November 1955.

The Commission having under consideration the matter of amending its rules so as to specify in Part 8 thereof certain maritime frequencies which are available for use for telephony in all zones in Alaska but which are not included in Part 8 as available for assignment under an interim ship station authorization:

It appearing that in accordance with the requirements of section 4 (a) of the Administrative Procedure Act, Notice of Proposed Rule Making in this matter which made provision for the submission of written comments by interested parties, was duly published in the FEDERAL REGISTER on September 7, 1955 (20 F R. 6564) and the period for filing comments has now expired; and

It further appearing that no comments were received with respect to the proposal: and

It further appearing that the public interest, convenience and necessity will be served by the amendments herein ordered, the authority for which is contained in section 303 (c) and (r) of the Communications Act of 1934, as amended:

It is ordered, That, effective December 7, 1955, Part 8 of the Commission's rules is amended as set forth below.

(Sec. 4, 48 Stat. 1066, as amended; 47 U.S.C. 154. Interprets or applies sec. 303, 48 Stat. 1082, as amended; 47 U. S. C. 303)

Released: November 3, 1955.

[SEAL]

FEDERAL COMMUNICATIONS COMMISSION, MARY JANE MORRIS. Secretary.

Part 8 is amended as follows:

Section 8.369 (a) (2) is amended by adding a new subdivision (iv) to read as follows:

(iv) In addition in the Alaska area: 1622 For communication between ship stations aboard vessels of less than 500 gross tons and for communication between public ship stations on board vessels of any size and public coast stations:

2184 For communication between ship stations and coast stations of the Alaska Communications System open to public correspondence;

2382 For communication between ship stations aboard vessels of 500 gross tons or more and for communication between public ship stations on board vessels of any size and public coast stations.

[F. R. Doc. 55-9034; Filed, Nov. 8, 1955; 8:53 a. m.1

### [FCC 55-1077]

[Rules Amdt. 13-3]

PART :13-COMMERCIAL RADIO OPERATORS

NEW CLASS, ADDITIONAL REQUIREMENTS

In the matter of amendment of § 13.25 of the Commission's Commercial Radio Operator Rules to exempt from the Second-Class Radiotelegraph code test certain applicants who have already passed the code test and to bring the section up to date.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 2d day of November 1955:

The Commission having under consideration the requirements of §§ 13.22 and 13.25 of its rules for the various classes of radio operator licenses; and

It appearing that, under § 13.22 the code test prescribed for the radiotelegraph second-class operator license is the same as for the radiotelegraph thirdclass operator permit; and

It further appearing that, under the-Commission's rules applicants for a radiotelegraph second-class operator license who hold a radiotelegraph thirdclass operator permit are not given credit for previously qualifying in the code, and that they must repeat the code test in all cases; and

It further appearing that, where an applicant takes an examination for a radiotelegraph second-class operator license not more than one year after qualifying for a radiotelegraph thirdclass operator permit, experience has shown that it is unnecessary to redetermine his proficiency in the use of the Morse code: and

It further appearing that § 13.25 should also be brought up to date to reflect the Commission's policy of not giving examination credit for aircraft radiotelephone operator authorizations; and

It further appearing that authority for the amendment herein ordered is contained in sections 4 (i) and 303 (1) and (r) of the Communications Act of 1934, as amended; and

It further appearing that Notice of Proposed Rule Making in this matter is unnecssary because the action herein cannot adversely affect any person:

It is ordered, That, effective December 12, 1955, Section 13.25 of the Commission's rules is amended as set forth below.

(Sec. 4, 48 Stat. 1066, as amended; 47 U.S.C. 164. Interprets or applies sec. 303, 48 Stat. 1032, as amended; 47 U.S. C. 393)

Released: November 4, 1955.

[SEAL]

FEDERAL COMMUNICATIONS COMMISSION, MARY JANE MORRIS, Secretary.

Section 13.25 is amended to read as follows:

New class, additional requirements. The holder of a license who applies for another class of license will be required to pass only the added examination requirements for the new class of license: Provided, That the holder of a radiotelegraph third-class operator permit who takes an examination for a radiotelegraph second-class operator license more than one year after the issuance date of the third-class permit will also be required to pass the code test prescribed therefor: Provided further That no person holding a new, duplicate, or replacement Restricted Radiotelephone Operator Permit issued upon the basis of a declaration, or a renewed restricted radiotelephone operator permit which renews a permit issued upon the basis of a declaration, or holding an aircraft radiotelephone operator authorization, or a temporary limited radiotele-graph second-class operator license shall, by reason of the declaration or the holding of such permit, authorization, or license, be relieved in any respect of qualifying by examination when applying for any other class of license.

[F. R. Doc. 55-9035; Filed, Nov. 8, 1955; 8:53 a. m.]

> [Docket No. 11466; FCC 55-1071] [Rules Amdt. 16-1]

PART 16-LAND TRANSPORTATION RADIO SERVICES

### MOBILE RELAY STATION

In the matter of amendment of § 16.355 (b) (2) of Part 16 of the Commission's rules governing land transportation radio services.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 2d day of November 1955:

The Commission having under consideration the above-captioned matter of amending its rules to provide for the assignment of additional frequencies to mobile relay stations in railroad pointto-train mainline operations, for which type of operation only the two mobile service frequencies available to a particular railroad for its mainline operations may now be assigned on a developmental basis;

It appearing that, in accordance with the requirements of section 4 (a) of the Administrative Procedure Act, Notice of Proposed Rule Making in this matter, which made provision for submission of written comments by interested parties, was duly published in the FEDERAL REG-ISTER on August 4, 1955 (20 F. R. 5583)

and that the period provided for the filing of comments has now expired; and

It further appearing that the Association of American Railroads and the Southern Pacific Company submitted comments supporting the proposed amendment and requesting that certain clarifying changes be made which would distinguish between the provisions for the assignment of frequencies to mobile relay stations used in yards and terminals and those applicable to mobile relay stations used in railroad mainline operations and that the developmental status be removed from authorizations for the latter type of station; and

It further appearing that no comments have been received in opposition to the proposed amendment or in reply to the comments of the American Association of Railroads and the Southern Pacific

Company: and

It further appearing that the proposed amendment was intended to provide only for mobile relay stations used in point-to-train mainline operations without changing the provisions presently in effect governing the operation of such stations when used in yard and terminal operations; and

It further appearing that the adoption of this amendment necessitates revising the definition of Mobile Relay Station (§ 16.6 (q)) and requires editorial changes in § 16.355 (b) (1) and

It further appearing that it is desirable to continue authorizing mobile relay point-to-train operations in the Railroad Radio Service on a developmental basis in order to gain more information and experience relative to this type of operation, especially since additional frequencies are being made available therefor and

It further appearing that the authority for the amendments herein ordered is contained in sections 4 (i) 303 (b) (c) and (r) of the Communications Act of 1934, as amended, and that these amendments will relieve an existing restriction and may, therefore, be made effective immediately.

It is ordered, That, effective immediately, Part 16 of the Commission's rules is amended as set forth below and

It is further ordered, That the petitions of the Southern Pacific Company and the Association of American Railroads filed February 15, 1955, and March 2, 1955, respectively, requesting modifi-cation of the policy governing the assignment of frequencies to Mobile Relay stations in the Railroad Radio Service. are granted insofar as they requested that the Commission's rules be amended to permit the assignment of an additional mobile service frequency to mobile relay stations used in point-to-train mainline operations and denied, for the reasons set forth herein, insofar as they requested that point-to-train mobile relay operations be authorized on a regular basis.

(Sec. 4, 48 Stat. 1066, as amended; 47 U. S. C. 154. Interpret or apply sec. 303, 48 Stat. 1082, as amended; 47 U. S. C. 303)

Released: November 4, 1955.

[SEAL]

FEDERAL COMMUNICATIONS COMMISSION, MARY JANE MORRIS, Secretary.

Part 16 is amended as follows:
1. Delete the present text of § 16.6 (q) and substitute the following:

- (q) Mobile relay station. A base station in the Mobile Service, authorized primarily to retransmit automatically on a mobile service frequency communications originated either by mobile units or by an associated operational fixed (control) station operated on either a fixed service frequency or the mobile service frequency assigned to the associated mobile station. (Authorized in the Railroad Radio Service only.)
- 2. Delete the present text of § 16.355 (b) (1) and (2) and substitute the following:
- (1) Each application for a new mobile relay station authorization shall be accompanied by a satisfactory showing that the applicant has a substantial re-

quirement for prompt mobile-to-mobile or extended range point-to-train communications over ranges greater than can be realized consistently by direct communication on the frequency presently assigned, or in the case of a proposed new radio system, on any available frequency. Except for radio systems in railroad yard and terminal areas, range measurements obtained by use of low-power transmitters of the hand-carried or pack-carried type will not be accepted in satisfaction of the applicable requirements of this subparagraph. Authorizations for mobile relay stations to be used in railroad mainline operations to extend the range of pointto-train communications shall granted only on a developmental basis.

(2) A mobile relay station may be authorized to operate on any mobile service frequency available for assignment to base stations except that mobile relay stations used for the purpose of extending the range of point-to-train communications in mainline operations will be authorized to operate only on the frequencies assigned to a particular railroad for its mainline (point-to-train and endto-end) operations: Provided, however, That where a mobile relay station is to be used to extend the range of point-totrain communications, the Commission may authorize the use of an additional mobile service frequency allocated to the Railroad Radio Service when it is shown that: (i) Mobile relay operations cannot be satisfactorily conducted on the frequencies assigned to mainline operations, (ii) the additional mobile service frequency will be used only in areas where, due to terrain or weather, hazardous railroad operating conditions prevail and no other satisfactory communication facilities exist or are practical to construct or maintain to the point where mobile relay stations are proposed to be established and (iii) no harmful interference will result to other stations in the Railroad Radio Service.

[F. R. Doc. 55-9036; Filed, Nov. 8, 1955; 8:54 a. m.]

### PROPOSED RULE MAKING

### DEPARTMENT OF LABOR Wage and Hour Division 1 29 CFR Part 541 1

DEFINING AND DELIMITING TERMS "ANY EMPLOYEE EMPLOYED IN A BONA FIDE EXECUTIVE, ADMINISTRATIVE, PROFESSIONAL, OR LOCAL RETAILING CAPACITY, OR IN THE CAPACITY OF OUTSIDE SALESMAN"

NOTICE OF HEARING

Section 13 (a) (1) of the Fair Labor Standards Act, as amended, provides an exemption from the minimum wage and overtime requirements for any employee employed in a bona fide executive, administrative, or professional capacity, as such terms are defined and delimited by regulations of the Administrator. Pursuant to this authority, regulations, Part 541 were last amended effective January 25, 1950. Among other requirements, these regulations require that executive employees must be paid not less than \$55 a week on a salary basis, and that administrative and professional employees must be paid not less than \$75 a week on a salary or fee basis. The regulations also contain special provisions for such employees who are paid \$100 a week or more.

Experience in administering these regulations, in light of changes in economic conditions which have taken place since the effective date of the amended regulations; particularly the widespread increases in wage and salary levels, indicate that consideration should be given

to further amendment of the regulations.

Accordingly, notice is hereby given of a public hearing to be held beginning on Monday, December 12, 1955, at 10 a.m. in Conference Room B, Departmental Auditorium, Constitution Avenue, between Twelfth and Fourteenth Streets NW., Washington, D. C., before a representative of the Administrator, at which interested persons may submit data, views, or arguments on the following question:

What, if any, changes should be made in the provisions contained in §§ 541.1 (f) 541.2 (e) and 541.3 (e) of the regulations with respect to the level of the salaries required for exemption as executive, administrative, and professional

employees (except for Puerto Rico and the Virgin Islands)?

All persons wishing to be heard on this question shall file with the Administrator of the Wage and Hour Division, United States Department of Labor, Fourteenth and Constitution Avenue NW., Washington 25, D. C., not later than December 1, 1955, notice of intention to appear which shall contain the following information:

- 1. Name and address of the person appearing.
- 2. If such person is appearing in a representative capacity, the name and address of the persons or organizations he is representing.
- 3. Whether he is appearing in support of a change in the salary levels and if so, the nature of the change suggested.
- 4. The approximate length of time requested for his presentation.

Written data, views, or arguments may be filed in lieu of personal appearances at any time prior to or at the hearing.

In connection with the question presented above interested parties are requested to submit, prior to or at the hearing, the following kinds of data:

- 1. Salaries currently paid to executive, administrative, and professional employees, including the entrance salaries, prevailing minimum salaries and the range.
- 2. Entrance salaries paid to trainees and junior executive, administrative, and professional employees.
- 3. Wages or salaries of white collar employees, particularly clerical:
- (a) Typists, stenographers, secretaries.
- (b) Clerks, accounting clerks, payroll clerks, bookkeepers.
  - (c) Accountants of various grades.
- 4. Salary increases to employees in 1, 2 and 3 above since 1949, in dollars or in percentage increase.
- 5. For the purpose of properly evaluating the information given above, information should be submitted identifying the locality, type of community and the industry involved in the data presented.
- 6. Any other information relating to the appropriate level of the salary requirements in the Regulations, Part 541, under current conditions.
- A report entitled "Earnings Data Pertinent to a Review of the Salary Tests for Executive, Administrative and Professional Employees, as Defined in Regulations Part 541" is being prepared by the Division. This report may be examined at the office of the Wage and Hour and Public Contracts Divisions, Room 5133, United States Department of Labor, Fourteenth and Constitution Avenue NW., Washington, D. C., after November 15, 1955. Copies will be distributed upon request after that date as long as the available supply lasts.

Signed at Washington, D. C., this 3d day of November 1955.

Newell Brown,
Administrator
Wage and Hour Division.

[F. R. Doc. 55-9028; Filed, Nov. 8, 1955; 8:51 a.m.]

### I 29 CFR Part 545 1

HOLIEWORKERS IN THE NEEDLEWORK AND FABRICATED TEXTILE PRODUCTS INDUS-TRY IN PUERTO RICO

NOTICE OF PROPOSED AMENDMENT

Notice is hereby given, pursuant to the Administrative Procedure Act (60 Stat. 237), that the Administrator of the Wage and Hour Division, United States Department of Labor, proposes to amend 29 CFR 545.13, providing piece rates for the needlework and fabricated textile products industry in Puerto Rico (1) by the addition to Schedule-A of piece rates applicable to the silk, rayon and nylon (except infants') underwear division, and (2) by the addition of Schedule-E, containing the piece rates applicable to the general division. Both of these sets of additions are set out in the attachment hereto. Prior to the final adoption of these amendments, consideration will be given to any data, views, or arguments, pertaining thereto, which are submitted in writing to the Office of the Administrator, Wage and Hour Division, United States Department of Labor, Washington, D. C., within 15 days from publication hereof in the FEDERAL REGISTER.

A wage order which fixed the minimum hourly wage rates to which there

piece rates are related became effective October 6, 1955, and an order making final other proposed piece rates related to the same industry is being published today to become effective December 9. 1955. It is in the public interest for all piece rates for this industry to become effective at the same time and as soon after the revised wage order hourly rates as practicable. For these reasons I find it contrary to the public interest to provide more than 15 days notice of this proposed amendment, and I intend to find good cause to shorten the period prior to the effective date of any final order on this proposal to make the piece rates effective December 9. 1955.

These amendments are to be issued pursuant to authority under the Fair Labor Standards Act of 1938, as amended (52 Stat. 1060, as amended 29 U. S. C. 201 et seq.).

Signed at Washington, D. C., this 3d day of November 1955.

Newell Brown,
Administrator
Wage and Hour Division.

§ 545.13 Piece rates established in accordance with § 545.9.

Schedule A—Piece Rate Schedule for the Sile, Rayon and Nylon (except espants) Division of the Needlework and Fabricated Textile Products Industry in Puerto Ripo

_									
No.	Operation	Picce rates based on hourly rate of 20 cents	Unit of Payment						
	HAND-SEWING OPERATIONS								
- 1		Cents							
1	Arenilla (seed stitch), class, 34" equares. Arenilla (seed stitch), scattered, 34" equares.	31,29	For disen equates.						
2	Arenilla (seed stitch), scattered, 14" equares	15.00	Do.						
23 45 67	Arenilla (seed stitch), seattered, 32" equares Arrows, filled in, 34" Back stitch on yokes, armboles, etc Basting bias with eard Basting darts before sewing. Basting for fagoting Basting for fagoting Basting hems, 1" to 5" wide	7.80 17.33 8.43	Per dezen. Per yard.						
Š	Basting bias with card	8.73	D5.						
Ğ	Basting darts before sewing	9,01	Do.						
7	Basting for fagoting	225 8.29	Do.						
8	Basting hems, 1" to 6" wide	5.29	Do.						
10	Basting lice. Basting lice. Basting waist lines, plackets and facing, 2 to 3 clitches per inch. Bas pring, joined, double, over 10 clitches per inch. Bas pring, joined, clingle, over 10 clitches per inch. Bas priong, seem team, joined, double, cet flat on garment with running clitch. Basting titch. Basting titch.	4.49	Do. Do.						
11	Bias nining, fained, dauble, over 10 stateber per fuch.	ທີ່ ຄົ	Do.						
12	Blas piping, joined, single, over 10 stitches use inch.	13.60	Do.						
13	Bias piping, second seam, joined, double, set flat on garment with	15,66	Do.						
1	running Etitch.  Blanket stitch, folding included, 18 ctitches per inch.  Buttens sewed on with double thread, 2 to 3 ctitches.  Buttenholes, stamped, 34" long.  Buttenholes, stamped, 34" long.  Buttenhole stitch, close.  Buttenhole stitch for feining couns.  Cond. twisted, over heating.	20. 42	70.						
14 15	Blanker stitch, folding included, 18 stitches for theh.	22,40	Do. Per dozen.						
16	Ruttenheise stemped 24" lang	11.53	Do.						
17	Buttonholes, stamped, 36" long	14.91	Do.						
17 18	Buttonhole stitch, close	23.4)	Per yard.						
19	Buttonholo stitch for joining crams.	23.40	_ Do.						
ន្ទន្ទន	Cond, twisted, over basting. Cutting material applied over less with call I and citich. Cutting material under less or at scame, straight outling, following:	2.00							
21	Cutting material applied over 1268 with 1233 and thich	3,55	Per yard. Do.						
	Cutting material under lass of at scales, straight duting, tells with hand-sewing operation.  Dots, Baby, not finished off, 2 to 3 stitches Dots, medium, not filled in, finished off, 8 to 9 stitches Eyelets, up to 16" diameter. Eyelets, 310" diameter. Eyelets, 710" diameter. Fagoting, straight lines	- 1.49	1 20.						
23	Dats. Bahy, not finished off, 2 to 3 stitches	2.17	Per dozen.						
24	Dots, medium, not filled in, fint hed off, 8 to 0 ctitches.	3.41	Do.						
25	Eyelets, up to 16" diameter.	2.17 3.41 5.79	Do.						
25	Eyelets, 316" diameter	10.49	Do.						
នដានឧកនល្ខខគននននកន	Forting, Swight lines	23.21 17.23 17.33	Per yard.						
23	Foother stitch 12 stitches regimeh	17.33	Do.						
วิจั	Fogoting, straight lines Fogoting, twisted lines Feather stitch, 12 stitches per Inch Feather stitch ord Flat fell seams, first seam by mochine	0.12	D5.						
31	Flat fell seams, first seam by machina.	10,15	Do.						
32	Flat roll	7,83 1,63 0,03	Do.						
33	French knots, not finished off	1.03	Per dozen.						
34	French seams, over 12 suiches per inch.	4 27	Per yard. Do.						
26	Flat roll Franch knots, not finished off French knots, not finished off French scams, over 12 stitches per Inch French scams, first cram by machine, 0 to 12 ctitches per Inch Frunneces, with tape. Furuneces, without tape	4.27 43.33	Do.						
37	Furuncees, without tane	31.29	1 105.						
33	\( \alpha \text{M}		Per dozen.						
39	Half roll.	8.52	Per yard.						
40	Hemming stitch for felling, 2 to 3 stitches per inch. Hemming stitch for felling cuffs, collars, plackets and waist hands,	4.53	Do.						
41	1 9 to 10 ctitabor nor inch		Do.						
42	Hemstitching, double, (tru-tru), 4 threads in a bundle, thread drawing not included.	32,21	Do.						
43	Hemstitching, single, 4 threads in a bundle, thread drawing not included.	10.92	Do.						
44	Lace, loined with whipping stitch.	27,69	Do.						
45	Lace, joined with whipping stitch. Lace, sewed on with hemming stitch or round roll.	13.00	Do.						
46	Leaves, open 34" long. Leaves, open 34" to 32" long.	12.42	Per dozen.						
47	Leaves, open 38" to 32" long	15.69	D5.						
48	Leaves, simple	.1 .63	i, D),						
Se	e footnote at end of table.								

See footnote at end of table.

SCHEDULE A-PIECE RATE SCHEDULE FOR THE SILK, RAYON AND NYLON (EXCEPT INFANTS') DIVISION OF THE NEEDLEWORK AND FABRICATED TEXTILE PRODUCTS INDUSTRY IN PUERTO RICO-COL.

			<del>,</del>
No.	Operation	Piece rates based on hourly rate of 26 cents	Unit of Payment
	HAND-SEWING OPERATIONS 1-continued	Cents	İ
49	Leaves solid not finished off 16" long	2.85	Per dozen.
50	Leaves, solid, not finished off, 14" long	3.47	Do.
51	Leaves, solid, not finished off, 36" to 32" long.	5,20	Do.
52	Leaves, solid, not finished off, \(\frac{4}{3}\)' long	10.40	Do.
53	Loops, knitted, 14"	3.26	Do
54 55	Loops, knitted, 1" to 1½"	5.47	Do.
83	Mounting foreting emplicates including pinning and heating to	7.80	Do.
	Loops, knitted, 1" Loops, knitted, 1" Loops, knitted, 1" to 1½" Loops, made with buttonhole stitch, 14" Mounting fagoting appliques, including pinning and basting to garment, first seam with running stitch, felled seam with hemming stitch.	31.07	Per yard.
57	stitch. Overeasting seams Pasadas, short, 1" to 8". Patches, sewed on with single point de turc. Patches, sewed on with single point de turc. Patches, rectangular, sewed on with blind stitch, up to 1½". Patches, sewed on with solid cord, cutting and basting included. Pin stitch, thread drawing not included, 1" squares. Point de turc, double, with embroidery thread. Point de turc, plain, with embroidery thread. Randa, bundles twisted but not tied, thread drawing not included. Randa, Don Gonzales, thread drawing not included.	5, 53	Do.
58	Pasadas, short, 1" to 8"		l _
59. 1	Patches, sewed on with single point de turc	51.80	Do.
59. 2	Patches, rectangular, sewed on with billing and harring included	3. 24 51. 01	Per dozen inches
60	Pin stitch, thread drawing not included, 1" squares	62 40	Per yard. Per dozen squares.
61	Point de turc, double, with embroidery thread	62, 40 25, 89	Per yard.
62	Point de ture, plain, with embroidery thread	15, 17	Do.
63	Randa, bundles twisted but not tied, thread drawing not included	6.50	Do.
64	Randa, Don Gonzales, thread drawing not included Randa, Mexican, tied at center only, thread drawing not included	27.29	<u>D</u> o.
65 66	Randa, Mexican, tied at center only, thread drawing not included	7.80	Do.
67	Ribbons, setting ends of	3, 55 13, 28	Per dozen.
68	Rose hilds, worm stitch, 4 worms, 1 or 2 colors or tones	7.71	Per yard. Per dozen.
69	Running stitch on darts, 8 to 20 stitches per inch.	6.50	Per vard.
70	Rolling armholes and roboques. Rose buds, worm stitch, 4 worms, 1 or 2 colors or tones. Running stitch on darts, 8 to 20 stitches per inch. Running stitch on hems up to 1" wide, 12 stitches per inch. Running stitch on hems up to 1" wide, 12 stitches per inch.	6.50	Per yard. Do.
71 72 73	Running stitch on hems up to 1" wide, 12 stitches per inch	7.00	Do.
72	Running stitch on lace	6.91	Do.
74	Recilians plain cutting included	4.69 26.17	Do. Do.
75	Shodow etitch un to 36" wide	50.26	Do.
76	Shell stitch, 4 to 5 stitches per inch	8.92	Do.
77	Running stitch on lace. Running stitch for plan sewing Scallops, plain, cutting included. Shadow stitch, up to 3½" wide. Shell stitch, 4 to 5 stitches per inch. Shirring, material to be measured before shirring.	5.22	l Do.
78	i comming and pasting lace edging, material to be measured after	6.30	Do.
79	shirring.	11, 32	Do.
80	Shirring and setting lace edging with hemming stitch on straight outline, material to be measured after shirring.  Shoulder straps, set with buttonhole stitch 14½" x ½", measured after turning, sewing up to ½" at each end of strap.  Size tickets set with hemming stitch, cutting tickets included	30.73	Per dozen straps.
	after turning, sewing up to 56" at each end of strap.	00,.0	T Ct Clobal Straps.
81	Size tickets set with hemming stitch, cutting tickets included	5, 20	Per dozen inches.
82 83			Per dozen stitches.
83 84	Bnaps, sewing on, both sides. Solid cord stitch on gores and embroidery	5.20 24.44-	Per dozen.
85	Solid cord stitch to sew on lace	24. 44- 22, 10	Per yard. Do.
86	Spiders, 4 legs. Spiders, 8 legs. Spiders, 8 legs. Tucks, set for fagoting. Tucks, stamped, 1/6" to 1/4" wide, up to 6" long. Tucks, pin, stamped, up to 7" long. Tucks, pin, tanstamped, up to 6" long.	5.20	Per dozen.
87	Spiders, 8 legs	10.16	Do.
88 89	Tacks, set for fagoting	2.60	Do.
89	Tucks, stamped, 1/6" to 1/4" wide, up to 6" long.	8.13	<u>p</u> ₀.
90 91	Tucks, pin, stamped, up to 7" long	8.57 10.40	Do. <b>-₽</b> Do.
81	NON-HAND-SEWING OPERATIONS	10.40	<b>4</b> D0.
_		ł	
93	Cutting material under lace, or at seams, straight outline, following machine operations.		Per yard.
94	Turning bolts, machine sewn, 29" x 12", measured after turning	11.17	Per dozen bolts.
95 96	Turning bolts, machine sewn, 29" x ½", measured after turning— Turning bolts, machine sewn, 60" x ½", measured after turning— Turning shoulder pads, 55\" long, with an unsewn slit, of 1" for	14.19 7.27	Do.
	l turning.	E .	Per dozen pads.
97	Turning shoulder straps, 14½" x ¾", measured after turning	22, 24	Per dozen straps.

<sup>1</sup> For description of operations included under "hand-sewing", see definitions in applicable section of wage order.

SCHEDULE E—PIECE RATE SCHEDULE FOR THE GENERAL DIVISION OF THE NEEDLEWORK AND FABRICATED (TEXTILE PRODUCTS INDUSTRY IN PUERTO RICO 1

No.	Operation •	Piece rates based on hourly rate of 45 cents	Unit of Payment
•	CROCHETING SHADE PULLS, NOT OVER 30 STITCHES PER BING		
207 208	Cotton thread	\$1.44 1.47	Per gross. Do.

<sup>&</sup>lt;sup>1</sup> The piece rates apply only to "hand-sewing" operations. For description of operations included under "hand-sewing", see definition in applicable section of wage orders.

[F. R. Doc. 55-9026; Filed, Nov. 8, 1955; 8:51 a, m.]

### CIVIL AERONAUTICS BOARD 1 14 CFR Part 27 1

AIRCRAFT DISPATCHER CERTIFICATES

NOTICE OF INSTITUTION OF RULE-MAKING PROCEEDINGS

Notice is hereby given that the Bureau of Safety Regulation is instituting rule-making proceedings by circulating Draft Release No. 55-22 to persons on the Bureau's current distribution list. Other

interested persons may secure a copy of this draft release upon request made to the Civil Aeronautics Board, attention Bureau of Safety Regulation, Washington 25, D. C. This draft release contains a proposed general revision of Part 27 of the Civil Air Regulations containing, among other things, modifications of certain of the experience requirements for the issuance of an aircraft dispatcher certificate. This proposal is being circulated as the first step in the rule-making

process in the hope that it will serve to narrow or eliminate the areas of substantive difference between interested persons as to the adequacy or the desirability of the proposed rule.

The Bureau desires that all persons who will be affected by the requirements of this proposal be given an opportunity to participate in the consideration of these rules and to submit such comment as they may desire not only in the final rule-making stage, but throughout the entire rule-making process. Draft Release No. 55-22 requires that comment be submitted on or before February 10, 1956. If the nature of the comment is such that a discussion between the Board's staff and interested members of the public would be of constructive assistance in the further development of the proposed rules, all interested parties will be invited to participate in such a discussion to be held in Washington, D. C. Notice of the time and place of such a meeting, together with advance documentation, will be circulated to persons who have signified their interest prior to February 10, 1956.

Since it is intended that the rule as finally evolved as a result of the foregoing procedure will be published in its entirety as a notice of proposed rule making, interested persons who do not care to participate in the rule-making proceedings at this stage will have a further opportunity for commenting thereon.

The foregoing procedure is proposed under the authority of Sec. 4 of the Administrative Procedure Act, and Title VI of the Civil Aeronautics Act of 1938, as amended.

(Sec. 205 (a), 52 Stat. 984; 49 U. S. C. 425 (a), Interpret or apply secs. 601-610, 52 Stat. 1007-1012, as amended; 49 U. S. C. 551-560)

Dated 'at Washington, D. C., October 31, 1955.

By the Bureau of Safety Regulation.

[SEAL] JOHN M. CHAMBERLAIN,
Director

[F. R. Doc. 55-9030; Filed, Nov. 8, 1955; 8:52 a.m.]

### I 14 CFR Part 226 1

[Economic Regulations Draft Release 78]
FREE AND REDUCED-RATE TRANSPORTATION
TO BOARD EXPLOYEES TRAVELING ON

OFFICIAL BUSINESS

NOTICE OF PROPOSED RULE-MAKING

NOVEMBER 7, 1955.

Notice is hereby given that the Civil Aeronautics Board has under consideration the adoption of new Part 226 of its Economic Regulations designed to clarify the legal status of a voluntary offer, made by any air carrier engaged in interstate air transportation, to furnish free or reduced-rate transportation to Board personnel traveling on official business for the Board. Proposed Fart 226 also adds such personnel to the category of persons who may be furnished preferential rate transportation, pursuant to the provisions of section 403 (b) of the act applying to overseas or foreign air transportation.

The principal features of the proposed regulation are explained in the attached Explanatory Statement and the proposed new Part 226 is set forth in the attached proposed rule.

Interested persons may participate in the proposed rule-making through submission of written data, views or arguments pertaining thereto, in triplicate, addressed to the Secretary, Civil Aeronautics Board, Washington 25, D. C. All relevant matter in communications received on or before December 9, 1955, will be considered by the Board before taking final action on the proposed rule. (Sec. 205, 52 Stat. 984; 49 U.S. C. 425. Interpret or apply secs. 403, 404, 405, 52 Stat. 992, 993, 994; 49 U. S. C. 483, 484, 485)

By the Civil Aeronautics Board.1

[SEAL] M. C. MULLIGAN, Secretary.

Explanatory statement. While the Board has, in Part 224 of the Economic Regulations, required air carriers to provide free transportation to any duly authorized official or employee of either the Board or the Administrator of Civil Aeronautics who has been assigned to the duty of inflight safety inspection, it has never promulgated any regulations dealing with the matter of free or reduced-rate transportation offered voluntarily by air carriers to Board personnel while on other official duties. Thus, the proposed rule presents a question of first impression concerning the Board's powers in this sphere.

There is a vital difference between the assertion of a legal power in the Board to compel air carriers to furnish free or reduced-rate air transportation and the question of whether an air carrier, voluntarily furnishing such transportation, is in violation of the law.

The Act does not contain any express prohibition against the offering of free transportation to Board personnel. Therefore, it is necessary to consider the dual-headed question of whether any general term of the Act operates to preclude the voluntary furnishing of such transportation or whether such result is prohibited by necessary implication in any provision of the Act.

The sections of the Act which bear upon the problem are sections 403 and 404. Section 403, which requires the filing, posting and observance of tariffs by air carriers and prohibits rebating of any kind, contains the following provision:

Section 403 (b) "\* \* \* Nothing in this Act shall prohibit such air carriers or foreign air carriers, under such terms and conditions as the Authority (Board) may prescribe, from issuing or interchanging tickets or passes for free or reduced-rate transportation to their directors, officers, and employees and their immediate families; witnesses and attorneys attending any legal investigation in which any such air carrier is interested; persons injured in aircraft accidents and physicians and nurses attending such persons; and any person or property with the object of providing relief in cases of general epidemic, pestilence, or other calamitous visitation; and, in the case of overseas or

foreign air transportation, to such other persons and under such other circumstances as the Authority (Board) may by regulation prescribe.

It is clear from this provision that preferential rates may be granted, subject to such terms and conditions as the Board may prescribe, to the persons enumerated in the foregoing quotation and, in the case of overseas or foreign air transportation only, to such additional classes of traffic as may be specified by the Board.

It is also apparent that if authority for free and reduced rates for Board personnel in interstate air transportation is to be found, it must be found elsewhere, since the authority of the Board to add to the class of persons covered by this provision is limited to overseas and foreign air transportation.

The absence of this specific power is not, however, determinative of the question. So far as section 403 is concerned. it is primarily mechanical in its operation. Tariffs must be filed and observed and no privilege may be extended to any person except those specified in the tariff. Once such provision is made, section 403 is satisfied. Accordingly, the Board is of the opinion that so long as provision is made in the duly filed tariffs of an air carrier for free or reduced rates to Board personnel, no violation of the provisions of section 403 would be involved.

The question of whether the voluntary furnishing of free or reduced-rate transportation to Board personnel is an undue or unreasonable preference within the meaning of section 404 (b) is a far more difficult question. Certainly a privilege in fact is being extended to the Board itself, if not to its personnel; and the Board like other Government agencies is a "person" within the meaning of section 404.

However, even though a privilege is extended, it is not unlawful unless it is undue or unreasonable.

If this provision of the Act is interpreted as a strict "rule of equality" a difference in treatment between one class of traffic and another can only be justified by varying intrinsic conditions of carriage. Obviously, there are no such differences in the travel facilities and accommodations accorded Board personnel and other airline passengers. However, this circumstance is by no means determinative, and the Board has twice rejected such a literal view of section 404 (b) (Free and Reduced-Rate Transportation Case, 14 CAB 481 (1951) Tour Basing Fares Case, 14 CAB 257 (1951))

These holdings find support in the fact that the U.S. Supreme Court has held that competition between carriers may, under some circumstances, constitute a justification for the charging of different rates for like and contemporaneous service between the same points despite the absence of any intrinsic differences in the conditions of carriage. (Eastern-Central Motor Carriers Assn. v. United States, 321 U.S. 194 (1944), Barringer & Co. v. United States, 319 U. S. 1 (1942) Texas and Pacific R. R. v. I. C. C., 162 U.S. 197 (1895))

The Board is of the opinion that if a difference in treatment promotes the public interest, when tested by the general policy considerations of the act. to an extent sufficient to outweigh the obiectionable inequality the resulting preference will be neither undue nor unreasonable. In making any such determination of public interest, the Board would necessarily have to take into account many factors, including the effect of the practice upon the financial condition of the carriers, the directness of the benefits accorded air transportation generally, and the adequacy of controls to the end that such privilege is not abused.

The Board is unable to find that the furnishing of free or reduced-rate transportation to the Government as a whole would be in the public interest. The Federal Government is by far the largest user of air transportation in the country, and any substantial curtailment of the revenues accruing from such transportation would soon jeopardize the financial integrity of many air carriers. Moreover, with the exception of the Civil Aeronautics Administration and the Post Office Department, the governmental functions of other agencies of the Government, even though they may relate to aviation in its broader aspects, are not directly and intimately concerned with the carrying out of the declaration of policy in section 2 of the Civil Aeronautics Act. Lastly, the Board has no effective means of requiring reports to be made to it by other governmental agencies as to the extent and nature of the use of any such free or reduced-rate transportation privileges, and thus cannot assure that these statistics will be made a matter of public record.

The Board, however, stands on a different footing. All functions which it performs are directly related to and are governed by the declaration of policy in the Civil Aeronautics Act. There is no doubt that the performance of these functions and the activities necessarily connected therewith are directly related to the specific public interest delineated in the Act.

Moreover, there is a strong interest on the part of air carriers generally in having the personnel of the regulatory body governing their industry familiar with the practical details of their day-to-day operations.

Free or reduced-rate transportation to Board personnel traveling on official business would not constitute a drain on any carrier's treasury, jeopardize the financial condition of any carrier, or otherwise adversely affect air transportation in general. Because of the relatively small number of its personnel (618), only a minor percentage of whom will be traveling on official business, little or no adverse effect will be felt by any carrier voluntarily offering to furnish free or reduced-rate transportation.

It must also be borne in mind that the decisiones to whether to file tariffs providing for such transportation will remain with the management of the carriers themselves. (However, once such tariss are on file, the carrier must furnish in accordance therewith free or

<sup>&</sup>lt;sup>1</sup>Statement of Dissent of Member Chan Gurney filed as part of the original document.

reduced-rate transportation to such persons as may be designated by the Board for the travel which has been requested.) Management, acting in the best interests of the company it represents, will decide whether the grant of free or reducedrate transportation to Board personnel on official business is in the best interest of its airline.

Lastly, the Board itself will have full control over the use of any such privilege by its personnel, and reports of its personnel using such transportation can and will be made open for public inspection.

One further consideration requires mention. Under section 405 (m) of the Act, Congress specifically required air carriers to furnish free transportation to duly accredited agents and officers of the Post Office Department while traveling on official business relating to the transportation of mail by aircraft, as the Board might by regulation prescribe. The obligation imposed by this section is of a different nature than the privilege of offering free or reduced-rate transportation to Board personnel. Because of its limitation to Post Office officials, it cannot be construed as extending to other Government personnel, including Board personnel, in its mandatory form even though to some degree the Board under Reorganization Plan 10 now fulfills certain former functions of the Post Office Department (those relating to the subsidy element of mail pay) However, the Board believes that section 405 (m) is an express recognition by the Congress that the voluntary furnishing of free or reduced-rate transportation to an agency directly concerned with air transportation matters is not an undue or unreasonable preference.

In the case of overseas and foreign air transportation there is, as noted above, express authority on the part of the Board in Section 403 (b) of the Act to authorize the offering of free or reduced-rate transportation. In view of this specific authority the Board in-tends to act pursuant to that section in connection with the overseas and foreign transportation aspects of this regulation, although the reasons for such action are the same as in the case of interstate air transportation, and the exercise of the privilege in each case will be subject to the same requirements. The Board proposes, in section 226.4 of the attached regulation, to exercise this power so as to add Board personnel traveling in the course of their official duties to the eligible class of persons specified in section 403 (b)

"Official Definitions. (a) duties" shall encompass all duties a member, officer or employee of the Board is officially directed to perform in the discharge of any function vested in the Board under the provisions of the Civil Aeronautics Act of 1938, as amended.

(b) "Free transportation" means the carriage by a carrier subject to the provisions of this part of any member, offi-° cer or employee of the Board without. lic documents. Copies of all CAB Form compensation therefor, in accordance with the applicable filed tariff rules of such carrier governing transportation of such personnel while traveling in the course of their official duties.

(c) "Reduced-rate transportation" means the carriage by a carrier subject to the provisions of this part of any member, officer or employee of the Board for a compensation specified in the applicable file tariff rules of such carrier governing transportation of such personnel while traveling in the course of their official duties, which compensation is less than that specified in the otherwise applicable tariff rate of the carrier.

§ 226.2 Applicability. This part applies to any air carrier engaged in air transportation in respect of such transportation, and to any foreign air carrier engaged in foreign air transportation in respect of such transportation.

§ 226.3 Determination of public interest regarding air transportation. The Board, upon a review of all the considerations set forth in the preamble (for this draft release, entitled Explanatory Statement) to this regulation determines that the furnishing of free or reduced-rate transportation subject to the provisions of this part to duly accredited members, officers and employees of the Board is in the public interest, and concludes that the furnishing of such transportation would not under its interpretation of the Act constitute an undue or unreasonable preference or advantage within the purview of section 404 (b) thereof.

§ 226.4 Permissive authorization to furnish overseas and foreign air transportation. Subject to compliance with the other provisions of this part, any air carrier which is authorized to engage in overseas air transportation and any air carrier or foreign air carrier authorized to engage in foreign air transportation, may provide transportation (in accordance with such authorization) free or at a reduced rate to duly accredited members, officers or employees of the Board.

§ 226.5 Tariffs to be filed. No carrier shall furnish any free or reduced-rate transportation pursuant to this part unless its governing tariffs, on file with the Board, expressly provide therefor.

§ 226.6 Provisions required to be included in all tariffs filed. Each and every tariff filed in order to permit an air carrier or foreign air carrier to furnish free or reduced-rate transportation pursuant to this part shall include the requirements that the person seeking such transportation present to the appropriate agent of the carrier (a) A certificate identifying such person as being entitled to such carriage, which cértificate shall be signed by the Executive Director of the Civil Aeronautics Board and (b) two executed copies of CAB Form No. ..., "Request for free or Reduced-Rate Transportation for Board Personnel Traveling in the Course of Official Duties."

§ 226.7 Reports of use of free transportation by Board personnel to be pub-No. \_\_\_\_ which have been issued and against which free or reduced-rate transportation has been furnished in accordance with the provisions of this part, shall be maintained in the office

of the Secretary of the Board and shall be open to public inspection upon reasonable request therefor.

§ 226.8 Separability. If any provision of this part or the application thereof to any air transportation, person, class of persons, or circumstances is held invalid, the remainder of the part and the application of such provisions to other air transportation, persons, classes of persons, or circumstances shall not be affected thereby.

[F. R. Doc. 55-9068; Filed, Nov. 8, 1955; 8:58 a. m.]

### FEDERAL COMMUNICATIONS COMMISSION

[47 CFR Part 18]

[Docket No. 11442]

INDUSTRIAL, SCIENTIFIC AND MEDICAL. SERVICE

INDUSTRIAL HEATING EQUIPMENT

In the matter of amendment of Part 18 to establish a type acceptance procedure for industrial heating equipment and in general to reorganize the regulations applicable to industrial heating equip-

The Commission having under consideration a notice of proposed rule making in the above-entitled matter adopted on July 6, 1955 (20 F R. 5018), providing that written comments in connection therewith be filed by interested parties on or before August 15, 1955; and

It appearing that as a result of a petition filed by Westinghouse Electric Corporation the time for filing comments was extended to November 15, 1955; and

It further appearing that the Commission has recently received several requests for a further extension of time within which to present comments with respect to Item 6 of the Notice of Proposed Rule Making which contemplates the addition of a new subpart entitled "Industrial Heating Equipment", including a request from the Committee on Induction and Dielectric Heating of the American Institute of Electrical Englneers. This Committee pleads that it is in the midst of a test program to gather engineering information pertinent to many of the changes contemplated by the proposed rule making and that the tests cannot be completed prior to March 15. 1956 nor can the data be analyzed and an engineering recommendation formulated prior to May 15, 1956.

It further appearing that no specific request has been received for additional time to comment on the remainder of the amendments proposed in the mentioned Notice of Proposed Rule Making; and

It further appearing that the public

interest would be served by granting the additional time requested for gathering and analyzing such technical data as may be pertinent to this proceeding:

It is ordered, This 4th day of November 1955 that the date for filing comments with respect to Item 6 of the Commission's Notice of Proposed Rule Making which item proposes the addition of a new subpart entitled, "Indus $\phi$ trial Heating Equipment" is hereby extended to May 15, 1956.

Released: November 4, 1955.

[SEAL]

FEDERAL COLLUNICATIONS

COLIMISSION. MARY JANE MORRIS.

Secretary.

[F. R. Doc. 55-9037; Filed, Nov. 8, 1955; 8:54 a. m.]

### NOTICES

### DEPARTMENT OF AGRICULTURE

### Office of the Secretary

NEW YORK

DESIGNATION OF AREAS FOR PRODUCTION EMERGENCY AND ECONOMIC EMERGENCY

For the purpose of making production emergency loans pursuant to section 2 (a) of Public Law 38, 81st Congress (12 U.S. C. 1148a-2 (a)) as amended, it has been determined that in the following named additional counties in the State of New York a production disaster has caused a need for agricultural credit not readily available from commercial banks. cooperative lending agencies, or other responsible sources.

Pursuant to the delegations of authority from the Administrator, Federal Civil Defense Administration (18 F R. 4609; 19 F. R. 2148; and 19 F. R. 5364) and for the purpose of making economic emergency loans pursuant to section 2 (b) of Public Law 38, 81st Congress (12 U.S. C. 1148a-2 (b)) as amended by Public Law 115, 83d Congress, it has been determined that the following named additional counties in the State of New York are within the area affected by the major disaster occasioned by hurricanes and flood as determined by the President on August 22, 1955, as amended on October 17, 1955, pursuant to Public Law 875, 81st Congress (42 U.S. C. 1855 et seq.). It has also been determined that an economic disaster exists in said counties that has caused a need for agricultural credit that cannot be met for a temporary period from commercial banks, cooperative lending agencies, the Farmers Home Administration under its regular loan programs, or other responsible sources.

STATE OF NEW YORK

Albany. Delaware. Greene.

Montgomery. Schoharie.

Pursuant to the authority set forth in this document, production emergency and economic emergency loans may be made to new applicants in said counties through December 31, 1956. Thereafter, production emergency loans and economic emergency loans may be made in such counties only to borrowers indebted for such loans.

Done at Washington, D. C., this 4th day of November 1955.

[SEAL]

TRUE D. MORSE, Acting Secretary.

8:57 a. m.]

### OREGON

### DESIGNATION OF AREAS FOR PRODUCTION EMERGENCY LOAMS

For the purpose of making production emergency loans pursuant to section 2 (a) of Public Law 38, 81st Congress, as amended, it is determined that in the following named additional counties in the State of Oregon a production disaster has caused a need for agricultural credit not readily available from commercial banks, cooperative lending agencies, or other responsible sources.

STATE OF ORDSON

Clackamas. Marion.

Washington. Yamhill.

Pursuant to the authority as set forth above, such loans will not be made in the State of Oregon after June 30, 1956, except to borrowers who previously received such assistance.

Done at Washington, D. C., this 4th day of November 1955.

[SEAL]

TRUE D. MORSE, Acting Secretary.

[F. R. Doc. 55-9050; Filed, Nov. 8, 1955; 8:57 a. m.]

### Rural Electrification Administration [Administrative Order T-674]

INDIANA

### LOAN ANNOUNCEMENT

SEPTEMBER 2, 1955.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:

Amount

Clay County Rural Telephone

<sup>1</sup>Simultaneous allocation and loan,

[SEAL]

ANCHER NELSEN. Administrator.

[F. R. Doc. 55-8994; Filed, Nov. 8, 1955; 8:46 a. m.]

### [Administrative Order T-675]

TENNESSEE

### LOAN ANNOUNCEMENT

SEPTEMBER 2, 1955.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:

Amount

West Tennessee Telephone Company, Tennessee 555-A West Tennessee 10103,030

\*Simultaneous allocation and loan.

[SEAL]

ANCHER NELSEII, Administrator

[F. R. Doc. 55-9049; Filed, Nov. 8, 1955; [F. R. Doc. 55-8905; Flicd, Nov. 8, 1935; 8:46 a. m.)

[Administrative Order No. T-676]

### SOUTH DAKOTA

LOMI AMIOUNCEMENT

SEPTEMBER 13, 1955.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:

Amount

Dakota Cooperative Telephone Company, Inc., South Dakota 515-B Irone\_

8787,039

**ESEAL** 

FRED H. STRONG, Acting Administrator.

[F. R. Doc. 55-8990; Filed, Nov. 8, 1955; 8:46 a.m.]

### [Administrative Order T-677]

TEXAS

### LOAN ANNOUNCEMENT

SEPTEMBER 15, 1955.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:

Amount

Burnet Telephone Company, Incorporated, Texas 699-A

±0325,000

<sup>1</sup>Simultaneous allocation and loan.

[SEAL]

ROBERT T. BEALL. Acting Administrator.

[P. R. Doc. 55-6937; Filed, Nov. 8, 1955; 8:46 a. m.1

### [Administrative Order T-678]

TIMAS

### LOAN ANNOUNCEMENT

SEPTEMBER 16, 1955.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:

Hill Country Telephone Cooper-

ative, Inc., Texas 575-B Ingram \_\_

. 8589,000

Amount

[SEAL]

AUCHUR NELSUN. Administrator.

[F. R. Doc. 55-8333; Filed, Nov. 8, 1955; 8:46 a. m.]

[Administrative Order T-679]

TIMAS

### LOAN ANNOUNCERENT

Septimena 16, 1955.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following

designation has been signed on behalf. Loan designation: of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation: Amount Colorado Valley Telephone Co-operative, Inc., Texas 592-A La

\_\_\_\_ 1 \$391, 000

<sup>1</sup> Simultaneous allocation and loan.

[SEAL]

ANCHER NELSEN. Administrator

[F. R. Doc. 55-8999; Filed, Nov. 8, 1955; 8:47 a. m.]

### [Administrative Order T-680]

### LOUISIANA

### LOAN ANNOUNCEMENT

SEPTEMBER 16, 1955.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:

Amount

East Ascension Telephone Company, Inc., Louisiana 501-E

Gonzales \_ \_ \$596,000

[SEAL]

ARCHER NELSEN. Administrator

[F. R. Doc. 55-9000; Filed, Nov. 8, 1955; 8:47 a. m.]

### [Administrative Order T-681]

### MISSOURI

### LOAN ANNOUNCEMENT

SEPTEMBER 16, 1955.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:

Amount

Chariton Valley Telephone Corporation, Missouri 535-A Rev.

and B Bucklin \_ 8227, 000

[SEAL]

ANCHER NELSEN. Administrator

[F. R. Doc. 55-9001; Filed, Nov. 8, 1955; 8:47 a. m.l

[Administrative Order T-682]

COLORADO

LOAN ANNOUNCEMENT

**SEPTEMBER 16, 1955**.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Amount Haxtun Telephone Company Colorado 509-B Haxtun Company, \_ \$106,000

[SEAL]

Ancher Nelsen. Administrator

[F. R. Doc. 55-9002; Filed, Nov. 8, 1955; 8:47 a. m.1

### [Administrative Order T-683]

### MISSOURI

### LOAN ANNOUNCEMENT

SEPTEMBER 16, 1955.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:

Amount

Texas County Rural Telephone Corporation, Missouri 540-A

Summersville \_ 1 \$474, 000

<sup>1</sup> Simultaneous allocation and loan.

[SEAL]

ANCHER NELSEN, Administrator.

[F. R. Doc. 55-9003; Filed, Nov. 8, 1955; 8:47 a. m.]

### [Administrative Order T-684]

### MISSOURI

**SEPTEMBER 19, 1955.** 

I hereby amend:

(a) Administrative Order No. T-406 dated February 25, 1954, by increasing the loan of \$35,000 therein made for "Green Hills Telephone Corporation—Missouri 534-B by \$354,000 so that the increased loan shall be \$389,000.

[SEAL]

FRED H. STRONG. Acting Administrator

[F. R. Doc. 55-9004; Filed, Nov. 8, 1955; 8:47 a. m.]

### [Administrative Order T-685]

### -MINNESOTA

### LOAN ANNOUNCEMENT

September 20, 1955.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Amount

Loan designation: Clear Valley Telephone Company, Minnesota 567-A Clear Valley \_\_\_ 1 \$159, 000

1 Simultaneous allocation and loan.

[SEAL]

FRED H. STRONG. Acting Administrator

[F. R. Doc. 55-9005; Filed, Nov. 8, 1955; 8:47 a. m.]

### [Administrative Order T-686] OKLAHOMA

### LOAN ANNOUNCEMENT

SEPTEMBER 20, 1955.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:

Amount

Southwest Oklahoma Telephone Company, Oklahoma 517-A

1 8163, 000

<sup>1</sup>Simultaneous allocation and loan.

[SEAL]

FRED H. STRONG, Acting Administrator

[F. R. Doc. 55-9006; Filed, Nov. 8, 1955; 8:48 a. m.]

### [Administrative Order T-687]

### **FLORIDA**

### LOAN ANNOUNCEMENT

SEPTEMBER 22, 1955.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:

Amount

Tri-County Telephone Company, Florida 510-A Trl-County \_\_\_\_\_\_ 181,007,000

<sup>1</sup> Simultaneous allocation and loan.

[SEAL]

FRED H. STRONG, Acting Administrator

[F. R. Doc. 55-9007; Filed, Nov. 8, 1956; 8:48 a. m.]

[Administrative Order T-688]

### NEW YORK

### LOAN ANNOUNCEMENT

SEPTEMBER 23, 1955.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:

Amount

Sanborn Telephone Company, Inc., New York 508-A San-

born\_\_\_\_\_1 8672, 000

<sup>1</sup> Simultaneous allocation and loan.

[SEAL]

FRED H. STRONG. Acting Administrator

IF. R. Doc. 55-9008; Filed, Nov. 8, 1955; 8:48 a. m.1

## [Administrative Order T-639] MINNESOTA

#### LOAN ANNOUNCEMENT

SEPTEMBER 23, 1955.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Amount

Loan designation: Wikstrom Telephone Company, Incorporated, Minnesota 520-A Wikstrom

\_ 1 \$291,000

<sup>1</sup>Simultaneous allocation and loan.

[SEAL]

FRED H. STRONG. Acting Administrator

[F. R. Doc. 55-9009; Filed, Nov. 8, 1955; 8:48 a. m.]

### [Administrative Order T-690]

## WYOLING

LOAN ANNOUNCELIENT

SEPTEMBER 23, 1955.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:

Amount

Tri-County Telephone Association, Inc., Wyoming 508-B Tri-

County \_\_\_\_

[SEAL]

FRED H. STRONG, Acting Administrator

[F. R. Doc. 55-9010; Filed, Nov. 8, 1954; 8:48 a. m.]

## [Administrative Order T-691]

### MAINE

## LOAN ANNOUNCEMENT

SEPTEMBER 27, 1955.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:

Eastern Telephone Company,
Maine 516-A West Enfield... 1 \$208,000

<sup>1</sup> Simultaneous allocation and loan.

[SEAL]

FRED H. STRONG, Acting Administrator

[F. R. Doc. 55-9011; Filed, Nov. 8, 1955; 8:48 a. m.]

[Administrative Order T-692]

## MISSOURI

## LOAN ANNOUNCEMENT

**SEPTEMBER 28, 1955.** 

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended,

a loan contract bearing the following Loan designation:

designation has been signed on healf of W. E. G. Dial Telephone, Inc., designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation: Amount Bolivar Telephone Company,

Missouri 547-B Bollvar\_\_\_\_ 8159,000

[SEAL] FRED H. STRONG. Acting Administrator.

[F. R. Doc. 55-9012; Filed, Nov. 8, 1955; 8:49 a.m.]

## [Administrative Order T-693]

### MINNESOTA

### LOAN ANNOUNCEMENT

SEPTEMBER 28, 1955.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:

Amount

Manchester-Hartland Telephone Company, Minnesota 571-A Manchester \_\_10191,000

<sup>2</sup>Simultaneous allocation and loan.

[SEAL]

FRED H. STRONG. Acting Administrator.

[F. R. Doc. 55-9013; Filed, Nov. 8, 1955; 8:49 a. m.]

## [Administrative Order T-694]

## NEBRASKA

## LOAN ANNOUNCEMENT

SEPTEMBER 28, 1955.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:

Amount

Northeast Nebraska Telephone Company, Nebraska 524-A

\_ 28390,000 Northeast\_\_\_

1 Simultaneous allocation and loan.

[SEAL]

FRED H. STRONG, Acting Administrator.

[F. R. Doc. 55-9014; Filed, Nov. 8, 1955; 8:49 a. m.]

### [Administrative Order T-695]

## KANSAS

## LOAN ANNOUNCEMENT

SEPTEMBER 29, 1955.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

#### Amount Kancas 513-O W. E. G... 8334,000

FRED H. STRONG, Acting Administrator

[P. R. Doc. 55-9015; Filed, Nov. 8, 1955; 8:49 a. m.]

## [Administrative Order T-696]

#### KANSAS

#### LOAN ANNOUNCEMENT

SEPTEMBER 29, 1955.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Amount

Loan designation:
United Telephone Accoclation, Inc., Kansas 531-C United\_\_\_\_ \$469,000

[SPAL]

FRED H. STRONG. Acting Administrator.

[P. R. Doc. 55-9016; Filed, Nov. 8, 1955; 8:49 a. m.]

## [Administrative Order T-697]

#### ILLINOIS

#### LOAN ANNOUNCEMENT

SEPTEMBER 29, 1955.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:

Amount

Mid Century Telephone Co-oper-ative, Illinois 511-C Mid Centurv\_

[SEAL]

FRED H. STRONG, Acting Administrator.

[F. R. Doc. 55-9017; Filed, Nov. 8, 1955; 8:49 a. m.1

## [Administrative Order T-698]

### TEXAS

## LOAN ANNOUNCELIENT

OCTOBER 14, 1955.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:

Amount

Romain Telephone Company,
Inc., Texas 583-A Plains\_\_\_\_\_ 18217,000

2 Simultaneous allocation and loan.

FRED H. STRONG, Acting Administrator.

[F. R. Dac. 55-3018; Filed, Nov. 8, 1955; 8:50 a. m.]

## [Administrative Order T-699] KENTHCKY

## LOAN ANNOUNCEMENT

OCTOBER 14, 1955.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:

Amount

Northeastern Telephone Cor-

poration, Kentucky 528-A Northeastern \_\_\_\_\_ 1 \$2,958,000

<sup>2</sup>Simultaneous allocation and loan.

FRED H. STRONG, Acting Administrator

[F. R. Doc. 55-9019; Filed, Nov. 8, 1955; 8:50 a. m.]

## [Administrative Order T-700]

### LOUISIANA

#### LOAN ANNOUNCEMENT

OCTOBER 20, 1955.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:

Amount The Athens Telephone Company, Inc., Louisiana 513-A Athens\_\_1 \$145,000

<sup>1</sup> Simultaneous allocation and loan.

[SEAL]

J. K. O'SHAUGHNESSY, Acting Administrator

[F. R. Doc. 55-9020; Filed, Nov. 8, 1955; 8:50 a. m.]

[Administrative Order T-7011

### IDAHO

### LOAN ANNOUNCEMENT

OCTOBER 20, 1955.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:

Amount

Gem State Utilities Corporation, Idaho 506-B Gem State\_\_\_\_

\$146,000

[SEAL]

J. K. O'SHAUGHNESSY, Acting Administrator

[F. R. Doc. 55-9021; Filed, Nov. 8, 1955; 8:50 a. m.1

[Administrative Order T-702]

TEXAS

LOAN ANNOUNCEMENT

OCTOBER 26, 1955.

Pursuant to the provisions of the Rural Electrification Act of 1936, as

amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation: Federation of Independent Tele-

phone Exchanges, Inc., Texas 596-A Dallas\_\_\_\_\_\_^ 1\$795,000

<sup>1</sup> Simultaneous allocation and loan.

ANCHER NELSEN.

Administrator

[F. R. Doc. 55-9022; Filed, Nov. 8, 1955; 8:50 a. m.]

[Administrative Order T-703]

#### TDAHO

#### LOAN ANNOUNCEMENT

OCTOBER 26, 1955.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:

Aberdeen Telephone Company, Idaho 508-A Aberdeen\_\_\_\_ 1\$154,000

<sup>1</sup> Simultaneous allocation and loan.

[SEAL]

[SEAL]

ANCHER NELSEN, Administrator

Amount

[F. R. Doc. 55-9023; Filed, Nov. 8, 1955; 8:50 a. mi.]

[Administrative Order T-704]

## SOUTH CAROLINA

## LOAN ANNOUNCEMENT

OCTOBER 28, 1955.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:

Amount

Bowman Telephone Company, South Carolina 521-B Bow-

\_\_ 1 \$186, 000

<sup>1</sup> Simultaneous allocation and loan.

FRED H. STRONG, [SEAL] Acting Administrator

[F. R. Doc. 55-9024; Filed, Nov. 8, 1955]; 8:50 a. m.]

## DEPARTMENT OF COMMERCE

## Bureau of the Census

Notice of Consideration for Surveys

Notice is hereby given that the Bureau of the Census is considering a proposal to conduct the annual surveys covering 1955 listed below, under the Authority of Title 13, United States Code, section 181, approved August 31, 1954. These surveys are significant in the manufacturing area and on the basis of information and recommendations received by the Bureau of the Census, the data have

significant application to the needs of the public and industry and are not available from non-Governmental or other Governmental sources.

The establishments covered by these surveys directly employ more than 17 million persons. The information to be developed from these surveys is necessary to an adequate measurement of total industrial production. Government agencies need data on the output of these in-dustries. Manufacturers in the industries involved, as well as their suppliers and customers and the general public, have all requested such data in the interest of business efficiency and stability

Such surveys, if conducted, shall begin not earlier than 30 days after publication of this notice in the Federal Reg-ISTER.

Report forms in most instances furnishing data on shipments and/or production and in some instances on stocks, unfilled orders, orders booked, consumption, etc., will be required of all establishments engaged in the production of the items covered by the following list of surveys with the exception of the Annual Survey of Manufactures which will be conducted on a sample basis and which calls for general statistical data such as employment, payroll, man-hours, capital expenditures, cost of materials consumed, etc., in addition to information on products shipped, and the lumber and household furniture surveys which will also be conducted on a sample basis.

Annual survey of manufactures Stocks of wool (as of April 1, 1956). Cotton and synthetic woven goods finished. Knit cloth. Woolen and worsted machinery activity. Gloves and mittens. Apparel. Shoes and slippers. Softwood plywood.

Softwood veneer. Red cedar shingles. Hardwood plywood-production by consuming company.

Hardwood veneer. Lumber.

Household furniture and bedding products.

Paper and board-detailed grade. Inorganic chemicals and gases.

Refractories.

Pressed and blown glassware.

Steel mill products.

Aluminum foil converted.

Steel boilers. Heating and cooking equipment. Internal combustion engines.

Machine tools.

Metalworking machinery. Tractors.

Farm machines and equipment.

Radios, television, and phonographs.

Mechanical stokers.

Refrigeration equipment.

Office, computing, and accounting machines.

The following list of surveys represent annual counterparts of monthly, quarterly, and semi-annual surveys. The content of these annual reports will be identical with that of the monthly, quarterly, and semi-annual reports except for Construction Machinery which will additionally call for data on shipments of power cranes and shovels and off-highway-type trucks. However, there will be no duplication inasmuch as establishments that file the monthly, quarterly, and semi-annual reports during the year covered by the annual report will not need to submit annual reports on these products.

Flour milling products. Confectionery products. Cotton broad woven goods. Synthetic broad woven goods. Wool consumption and stocks. Woolen and worsted fabrics. Tire cord and tire fabrics. Hardwood plywood (for sale). Pulp, paper, and board. Consumers of wood pulp. Superphosphate. Paint, varnish, and lacquer. Clay construction products. Asphalt and tar roofing and siding products. Glass containers. Nonferrous castings. Plumbing fixtures. Steel shipping barrels, drums, and pails. Commercial and home canning closures. Metal cans. Farm pumps. Fans, blowers, and unit heaters. Electric lamps. Construction machinery (excavating and

earthmoving). Complete aircraft and aircraft engines.

Backlog of orders for aircraft companies. Aircraft propellers.

Copies of the proposed forms are available on request to the Director, Bureau of the Census, Washington 25, D. C.

Any suggestions or recommendations concerning the subject matter of these proposed surveys should be submitted in writing to the Director of the Census and will receive consideration.

Dated: November 2, 1955.

[SEAL]

ROBERT W BURGESS, Director

Approved:

SINCLAIR WEEKS, Secretary of Commerce.

[F. R. Doc. 55-8989; Filed, Nov. 8, 1955; 8:45 a. m.l

## DEPARTMENT OF THE TREASURY

## Internal Revenue Service

RELIEF FROM EXCESS PROFITS TAX BE-CAUSE OF INADEQUATE EXCESS PROFITS CREDIT

ALLOWANCE DURING FISCAL YEAR ENDED JUNE 30, 1955

Subchapter E of Chapter 2 of the Internal Revenue Code (1939) imposes an excess profits tax on corporations for taxable years beginning after December 31, 1939. Under the provisions of this subchapter excess profits are measured by comparing the earnings for the current taxable year with a statutory excess profits credit.

Section 722 of Subchapter E reflects the recognition by Congress of the desirability and necessity of granting relief in meritorious cases to corporations which bear an excessive burden because of an madequate excess profits credit. This section provides for the recomputation of excess profits tax on the basis of a reconstructed excess profits credit.

As required by section 6105 the following list, containing the cases arranged alphabetically by internal revenue distacts, shows the name and address of each corporation to which relief has been allowed, business, taxable years involved, excess profits credit before al-

lowance of relief, increase in excess profits credit claimed, increase in excess profits credit allowed, decrease in excess profits tax, and increase in income tax. Allowance pursuant to decisions entered by The Tax Court of the United States have been made in sixty-two docketed cases. These are included in the list with appropriate notations. There are included as a supplemental to this list twenty-one cases in which relief was allowed by the Commissioner and thirtyfive docketed cases in which relief was allowed by The Tax Court of the United States during the fiscal year ended June 30, 1954. These cases were not included in the list of allowances made during the fiscal year 1954 previously published.

In order to determine the relief granted and the relevant data required to be published, intermediate computations of the excess profits tax and the income tax showing the amounts of taxes which would have been due without the benefits of section 722 were made. Comparison of the pertinent items and figures appearing in the application for relief and the tax computations after allowance of relief with those appearing in the intermediate tax computations developed the required data.

Explanations of certain items, as displayed in their respective column headings of the list, and the data evolved follows:

Business in Which Engaged, Column 2. The business in which taxpayer is engaged is that reported in the income tax return of the corporation for the taxable year or years involved, therefore, it does not necessarily correspond with the business during the base period. In those instances where the return for the year involved failed to disclose the nature of the business, information from other sources was utilized. Moreover, since the nature of business shown usually represents a general description of the predominate business activity, it does not necessarily represent or reflect the business activity with respect to which an inadequate excess profits credit was established.

Excess Profits Credit Before Allowance of Relief, Column 4. The excess profits credit before allowance of relief is the credit originally claimed by the taxpayer, as corrected, whether based on income or capital.

Increase in the Amount of Excess Profits Credit Claimed by Taxpayer, Column 5. The increase in the amount of excess profits credit claimed by taxpayer is the excess of the credit based on the constructive income claimed by the taxpayer over the credit before allowance of relief shown in column 4.

Increase in the Amount of Excess Profits Credit Allowed, Column 6. This increase in the amount of excess profits credit allowed is the excess of the recomputed credit based on constructive income finally allowed over the credit before allowance of relief shown in column 4.

Cross Reduction in the Excess Profits Tax, Column 7.

Gross Increase in the Income Tax, Column 8. The gross reduction in the excess profits tax and the gross increase in the income tax resulting from the op-

eration of section 722 are the difference between the gross taxes which would have been due without the benefits of section 722 and the gross taxes due after relief has been granted. The gross excess profits tax is the tax due prior to the deferment under section 710 (a) (5) the foreign tax credit under section 729, the credit for debt retirement under section 783, the ten percent credit under section 784, and the adjustment under section The gross income tax is the tax 734. prior to the foreign tax credit under section 131.

The changes in the income and excess profits taxes shown reflect the effect of the increase attributable to section 722 in the unused excess profits credit carried forwarded from prior taxable years as well as the effect of the increase in unused excess profits credit carried back from subsequent years to the extent that claims with respect to unused credit carry-overs and carry-backs determined under section 722 were allowed within the same fiscal year.

While the decrease in excess profits tax is directly related to the increase in excess profits credit allowed, a number of factors serve to invalidate a comparison of the relationship of these two items applicable to a corporation for different taxable years or to different corporations for the same taxable year. Among the most important factors affecting this comparison are (1) increase in excess profits tax rates, (2) changes in rate structure from a graduated to a flat rate system, (3) effect of unused excess profits credits of prior and subsequent years attributable to section 722, (4) variations of provisions applicable to fiscal years, (5) limitation of excess profits tax to the amount of which 80 percent of net income exceeds the income tax, applicable to certain taxable years, and (6) relation of excess profits before the applica-tion of section 722 to the increase in excess profits credit allowed.

For taxable years beginning after December 31, 1940, a portion of the amount by which the excess profits tax is reduced by reason of the application of section 722 is offset by an increase m income tax. This offset arises from the provisions which permit the deduction of the income subject to excess profits tax (or excess profits tax in certain taxable years) in arriving at income subject to income tax.

Lists containing the cases in which relief has been allowed for prior fiscal years have been published in the various issues of the Federal Register as follows:

Fixed year ended	Volume	Number	Date
June 29, 1942 June 29, 1943 June 29, 1943 June 29, 1945 June 29, 1945 June 29, 1947 June 29, 1948 June 29, 1949 June 29, 1831 June 29, 1831 June 29, 1831 June 29, 1831 June 29, 1833 June 29, 1834	9 9 9 9 9 9 9 10 11 12 13 14 15 16 17 18 19	184 185 186 187 186 281 281 281 181 183 183	Sept. 23, 1244 Sept. 23, 1244 Nov. 2, 1244 Nov. 15, 1245 Oct. 8, 1247 Oct. 21, 1248 Oct. 18, 1343 Oct. 22, 1253 Oct. 29, 1251 Sept. 6, 1652 Aug. 21, 1653 Sept. 23, 1854

[SEAL] T. COLEMAN ANDREWS, Commissioner of Internal Revenue.

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Excess Profits Tax Relief Granted Under Section 722 of the Internal Revenue Code by the Commissioner of Internal Revenue
Fiscal year ended June 30, 1955

Fiscal year ended June 30, 1955							
Name and address of taxpayer (arranged by Internal Revenue Districts in which excess profits tax returns were filed)	Business in which engaged	Taxable year ended	Excess profits credit before allowance of relief	Increase in the amount of excess profits credit claimed by taxpayer	Increase in the amount of excess profits credit allowed	Gross reduction in the excess profits (Subchapter E) tax resulting from the operation of section 722	Oross increase in the income (Ohapter 1) tax resulting from the operation of scettler 722
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
Albany: Central Coal Co., Inc., 215 East 149th St., Bronx, N. Y.	Coal dealers	Apr. 30, 1944 Apr. 30, 1944 Apr. 30, 1946	\$47, 156, 96 53, 551, 21 53, 551, 21 53, 551, 21 7, 451, 04	\$51, 661, 96 45, 267, 71 45, 267, 71 45, 267, 71	\$16,901.33 10,597.08 10,597.08 10,597.08	\$7, 646, 10 2, 940, 93 9, 712, 54 6, 751, 03	\$2,370,20 1,331,54 4,233,81 2,815,27
Albuquerque: Albuquerque Broadcasting Co., 418 West Gold Ave., Albuquerque, N. Mex. Atlanta:	Radio broadcasting		i	15, 348. 96	2,048.96	1,843,92	653, 22
Linen Service Corp. of Texas, 445 Highland Ave. NE., Atlanta, Ga.	Line service  Department store	Aug. 31, 1942 Aug. 31, 1943 Aug. 31, 1944 Aug. 31, 1945	77, 205, 74 84, 698, 92 84, 279, 25 77, 604, 03 77, 818, 73	190, 633, 78 183, 140, 60 183, 560, 27 190, 235, 49 190, 020, 70 516, 154, 50	64, 394, 26 56, 901, 03 57, 320, 75 63, 995, 97	40, 084, 31 63, 042, 69 64, 619, 44 69, 977, 55	14,231,37 28,018,97 27,694,05 29,461,23
Rich's Inc., Atlanta, Ga	Department store	Aug. 31, 1946 Jan. 31, 1942 <sup>1</sup> Jan. 31, 1943 <sup>1</sup> Jan. 31, 1944 <sup>1</sup> Jan. 31, 1945 <sup>1</sup> Dec. 31, 1946 <sup>1</sup>	77, 818, 73 817, 993, 13 817, 662, 52 789, 993, 13 789, 993, 13	190, 020, 70 515, 154, 50 557, 954, 49 567, 954, 50 528, 354, 50	57, 320, 75 63, 995, 97 63, 781, 27 132, 006, 87 132, 237, 48 160, 006, 87	69, 977, 65 22, 404, 30 59, 489, 62 120, 145, 25 144, 685, 65 104, 323, 41	9,433,40 18,411,70 53,397,89 64,002,75 61,002,75
Austin: San Antonio Coca-Cola Bottling Co., Inc., 123 Lafitte St., San Antonio, Tex.	Bottlers of coca-cola and soda water.	Dec. 31, 1943 1 Dec. 31, 1945 1	166, 577. 33 166, 577. 33	557, 954, 49 557, 954, 50 528, 354, 50 528, 354, 50 90, 318, 84 90, 318, 74 90, 318, 74 91, 172, 67	160,006.87 3,947.67 3,947.67 3,947.67 3,947.67	136, 896, 69 1, 973, 83 3, 552, 90 3, 552, 91 3, 750, 28	58, 566, 90 611, 91 1, 579, 97 1, 579, 98 1, 579, 97
Birmingham: Leedy-Glover Realty & Insurance Co., Inc. (formerly Leedy-Glover General Agency, Inc.), 1531 3d Ave. North, Birming- ham, Ala. Boston:	General insurance agents	Dec. 31, 1944 1	9, 467. 54	28, 959. 01	8, 478. 03	8, 054, 13	3, 164. 92
H. H. Brown Shoe Co., Inc., 45 Grand St., Worcester, Mass.	Shoe manufacturer	Dec. 31, 1942 1 Dec. 31, 1943 1 Dec. 31, 1944 1 Dec. 31, 1945 1	60, 503. 38 60, 475. 36 67, 394. 88 73, 954. 84	99, 983, 53 100, 016, 60 93, 097, 08 86, 537, 12	23, 796, 62 28, 821, 64 21, 905, 12 15, 345, 16	38, 272, 97 23, 616, 39 20, 809, 86 20, 599, 68	17,010,22 11,529,89 8,762,05 8,073,55
Cortland Grinding Wheels Corp., Chester, Mass.	Manufacture of grinding wheels.	June 30, 1941 1 June 30, 1942 1	10,796.88 11,905.40	98, 071, 22 142, 463, 90 602, 254, 40	2,028,12 11,844.60	5,922,30	None 1,835,91 21,855,22
Hathaway Manufacturing Co., 97 Core St., New Bedford, Mass.	Manufacture of rayon piece goods and cotton piece goods.	Sept. 30, 1941. Sept. 30, 1941. Sept. 30, 1942 Sept. 30, 1943	295, 786. 30 305, 502, 98 352, 552, 66 376, 963, 90	749, 306, 72 733, 784, 54 721, 863, 10 697, 178, 41 421, 345, 46	173, 513. 70 163, 797. 02 116, 747. 34 92, 336. 10 67, 651. 41	70,500,73 111,062,70 111,211,34 93,096,69	39, 564, 21 49, 427, 27 39, 724, 50
Melville Shoe Corp., 44 Hammond St., Worcester, Mass.	Retail shoe merchants	Sept. 30, 1945 Dec. 31, 1940 Dec. 31, 1941 Dec. 31, 1942	401,648.59 2,047,236.19 2,419,809.45 2,523.939.71	697, 178, 41 421, 345, 46 715, 615, 20 562, 399, 39	67, 651, 41 105, 428, 77 227, 524, 68 121, 148, 28	71, 999, 81 8, 562, 16 193, 099, 93 240, 060, 44	30, 315, 70 None 59, 860, 93 106, 710, 69
Waldorf System Inc., 169 High St., Boston, Mass.	Restaurant operators	Dec. 31, 1942 1 Dec. 31, 1943 1 Dec. 31, 1943 1 Dec. 31, 1944 1 Dec. 31, 1945 1 Dec. 31, 1945 1 Dec. 31, 1941 1 Dec. 31, 1941 2 Sept. 30, 1942 Sept. 30, 1943 Sept. 30, 1944 Sept. 30, 1944 Dec. 31, 1940 Dec. 31, 1941 Dec. 31, 1945 Dec. 31, 1943 2 Dec. 31, 1945 2 Dec. 31,	2, 419, 809, 45 2, 523, 939, 71 2, 539, 996, 55 520, 783, 44 515, 515, 46 510, 478, 30 498, 170, 15		104, 069, 96 412, 283, 82 417, 556, 80 422, 593, 90 434, 893, 11 443, 126, 51	93, 860, 47 94, 463, 43 195, 313, 57 983, 838, 60 272, 475, 56 5, 673, 93	38, 627, 99 23, 459, 14 91, 146, 34 459, 124, 69 120, 462, 91 2, 508, 48
Brooklyn: Garrett & Co., Inc., 882 Third Ave., Brooklyn, N. Y.	Wine manufacturers and growers.	June 30, 1941 I June 30, 1942 I June 30, 1943	120, 715. 12 138, 475. 78 154, 203. 22	986, 241. 03 1, 189, 583. 37 1, 063, 674. 78 10, 974. 60 9, 732. 49 9, 304. 24	29, 384, 88 62, 924, 22	8,097,47 34,603,32	None. 10, 728, 53
Hugo Brand Tannery, Inc., 157 13th St., Brooklyn, N. Y.	Tanning of leather	Dec. 31, 1941 2	3,275.40	10,974.60 9,732.49	52,896.78 2,899.60 1,657.49	1,256,48 2,439,42 1,867,95	23, 162, 20 288, 90 731, 53
Buffalo: Remington Rand Inc. (Delaware), 465 Washington St., Buffalo, N. Y.	Manufacturing and selling office equipment and supplies.		6, 145, 76 2, 926, 770, 90 3, 258, 014, 17 3, 242, 492, 25 2, 753, 437, 13	5,446,023,82 5,461,551,28	1, 229, 24 778, 229, 10 636, 985, 29 652, 507, 75 652, 647, 93	460, 937, 46 573, 280, 76 506, 139, 21 351, 561, 77	560, 33 144, 750, 61 254, 794, 12 261, 003, 11 196, 688, 41
Obleago: The Alemite Co. of Northern California, Transferor, Alemite Corp., transferee, 1826. Diversey Parkway, Chicago, Ill.	Wholesale lubrication equipment and lubricant.	1	1	1 -	688.75	619.87	185, 97
Diversey Parkway, Chicago, III.  American Mineral Spirits Co., 230 North Michigan Ave., Chicago, III.  Cruver Manufacturing Co., 2456 West Jackson Blvd., Chicago, III.	Marketing of petroleum products. Manufacturers of plastic and metal specialties.	1 Apr. 30, 1942.	1	58, 404. 11	77, 468. 41 40, 157. 16 11, 297. 03 11, 297. 03	69, 721, 57 36, 141, 44 5, 083, 67 3, 342, 68	30, 987, 37 16, 062, 87 1, 576, 93 2, 023, 04
Inland Steel Co., 38 South Dearborn St.,	Blast furnaces, steel works	Apr. 30, 1943 1	22, 977. 47 9, 289, 191. 31	56, 809. 61 3, 199, 803. 89	9, 702, 53 597, 444, 22	11, 739, 71 358, 466, 53	5, 217, 63 111, 124, 6J
Ohicago, Ill. Metro Tool & Gage Co., 121 North Jefferson St., Chicago, Ill.	and rolling mills.  Manufacture of precision gages and carbide tipped cutting tools.	Dec. 31, 1941 1	3, 879. 62 4, 253. 52 10, 352. 00 15, 342. 12	108, 422, 26 102, 323, 78	7, 330, 38 18, 546, 48 12, 448, 00 7, 457, 88	1, 832, 60 9, 254, 26 5, 416, 53 8, 670, 76	None 2, 869, 82 4, 490, 99 3, 483, 38
P and K Inc. (formerly Pachner & Koller Inc.), 3450 Archer Ave., Chicago, Ill.	Manufacturing and wholesale of fishing	Dec. 31, 1942 Dec. 31, 1943	564. 29 960. 03	10, 948, 76 8, 539, 97	12, 448, 00 7, 457, 88 2, 704, 66 2, 308, 92 1, 502, 99	4, 851, 39 2, 227, 33 1, 696, 22	1, 455, 42 668, 21
Peter Hand Brewery Co., 1000 West North Aye., Chicago, Ill.	equipment. Manufacture and sale of beer.	Dec. 31, 1942 1 Dec. 31, 1944 1 Dec. 31, 1943 Dec. 31, 1943 Dec. 31, 1943 Dec. 31, 1940 Dec. 31, 1940 Dec. 31, 1940 Dec. 31, 1942 1 Dec. 31, 1942 1 Dec. 31, 1943 1 Dec. 31, 1943 1 Dec. 31, 1940 1	1,765.96 164,479.13 201,053.63 201,053.62 201,053.62	36, 949. 05 49, 341. 59 165, 238. 47 175, 238. 47	12, 696. 37 12, 696. 38 12, 696. 38	22, 853, 47 11, 420, 74 12, 001, 55	432, 09 Nonn 10, 157, 10 5, 078, 55 5, 078, 55
The Sager Glove Corp., 1672 North Claremont Ave., Chicago, Ill.	Manufacture men's safety gloves and goggles.	Dec. 31, 1945 1	201, 053, 62 9, 570, 72 11, 962, 26 14, 712, 41 14, 712, 41	175, 238, 47 33, 179, 28 30, 787, 74 28, 037, 59 28, 037, 59	12, 696, 38 4, 529, 18 5, 232, 74 2, 482, 59 2, 432, 59 62, 237, 13	1, 132, 30	5, 078. 5) None 648. Fn 714. 20 21. 70
Sunlight Coal Co. and Subsidiary, 114 West 11th St., Kansas City, Mo. Tecumseh Coal Corp., 114 West 11th St., Kansas City, Mo.	Mining and selling bituminous coal. Mining and selling bituminous coal.	Dec. 31, 1942 (*)_	218, 500. 00	238, 398. 89 None None	28, 500. 00 28, 500. 00		18, 603, 01 11, 400, 00 13, 630, 41
Cincinnati: Carthage Mills, Inc., 124 West 66th St., Cincinnati, Ohio.	Manufacture floor covering.	Dec. 31, 1945 (*)_	218, 500, 00 218, 500, 00 98, 448, 38 100, 012, 45 103, 487, 42 104, 704, 07	None None 93, 360. 42 142, 644. 81 139, 169. 84 137, 953. 19	28,500.00	1 42.501.112	11, 400, 00 5, 203, 58 None 0, 684, 57 16, 603, 07 16, 117, 68
See footnotes at end of table.		Dec. 31, 1944 1 Dec. 31, 1945 1	104, 476, 88 104, 417, 37	138, 180, 38 138, 239, 89	38, 023, 12 38, 082, 63	30, 121, 80	10, 603, 21

Excess Profits Tax Relief Granted Under Section 722 of the Internal Revenue Code by the Commissioned of Internal Revenue—Commissioned Fiscal year ended June 09, 1935

Fiscal year ended June Co, 1933							
Name and address of taxpayer (arranged by Internal Revenue Districts in which excess profits tax returns were filed)	Business in which engaged	Taxable year ended	Exects profits credit before allowanes of relief	Increase in the amount of execut profits credit claimed by taxpayer	Increase in the amount of execu- profits credit allowed	Green reduc- tion in the execus profits (Subchapter E) tax result- ing from the operation of exection 722	Gross in the increase in the income (Chapter 1) tax resulting from the operation of section 722
ω ,	(2)	(3)	(4)	ග	<b>(</b> 0)	ო	(3)
Cleveland: Chesapeake & Ohio Railway Co., 3201 Terminal Tower, Cleveland, Ohio.	Rail transportation	Dec. 31, 1949 Dec. 31, 1941 Dec. 31, 1942 Dec. 31, 1943 Dec. 31, 1941 Dec. 31, 1941	\$31, 229, 423, 65 C3, 173, 633, 16 37, 443, 734, 23 37, 442, 636, 63 37, 442, 632, 64 37, 123, 11 37, 139, 11	\$18, 120, 855, 45 20, 331, 153, 63 22, 355, 454, 04 22, 757, 724, 13 23, 740, 53 33, 740, 53	\$703,011.45 1,825,440.84 643,291.41 650,693.31 657,697.89	\$208,503,73 1,003,874,11 493,834,87 596,426,63 529,103,02	None None \$217, 282, 16 442, 805, 23 222, 818, 95
Dallas: Morrow-Thomas Hardware Co., 316 Polk St., Amarillo, Tex. Denver:	Wholesale and retail hard- ware.	Dec. 31, 1011 2 Dec. 31, 1042 2	37, 199, 11 37, 199, 11	23,749,51 28,749,51	£57,647,39 1,219,25 1,219,23	437.21 1,121.33	135.54 662.69
Adolph Coors Co., Golden, Colo	Brewery and milk prod- ucts.	Dec. 31, 1942 1 Dec. 31, 1943 1	325, £73, 22 321, 573, 12 321, 747, 62 317, 747, 72 117, 197, 25	613,623,43 613,723,23 611,801,Q	23,003.78 23,771.83 21,942.93	07,893.27 21,394.09	44,397.01 9,503.75
O. M. Franklin Serum Co., 403 Stockyard Exchange Bldg., Denver, Colo.	Manufacture and sale of vaccines.	Dec. 31, 1942 1	142,827,00 142,827,00	00,888.09 119,222.69 124,537.41 124,537.41 124,537.41 124,537.41	2414.05 2414.05 15,454.00 18,454.00 18,454.00 18,454.00	21,334,63 22,535,63 22,535,64 22,535,64 15,535,64 17,532,83 17,532,83	9,977.19 12,330.27 None 2,571.83 7,373.83 7,373.83 4,323.23
Ainsworth Manufacturing Corp., 2200 Frank- lin St., Detroit, Mich.  Chrysler Corp., 341 Massachusetts Ave.,	Manufacturer of automobile parts and accessories.  Manufacturing	Dec. 31, 1941 3 Dec. 31, 1942 3 Dec. 31, 1943 3 Dec. 31, 1944 3 Dec. 31, 1944 3	(53,729,23) 733,911,61 733,911,61 733,911,61 45,615,632,91	307, 278, 77 173, 626, 45 173, 626, 45 173, 626, 45 16, 763, 841, 78	218,778,77 71,653,29 71,653,39 71,653,39 3,324,018,49	221,832,27 64,429,55 64,429,55 63,063,97 1,939,518,62	63,763.60 23,633.33 23,633.33 52,633.21 52,632.21
			154,551,91 163,879,71 163,879,71			6,731.22 15,411.43	None 5,859.20
Petroir, Mich.  F. M. Sibley Lumber Co., 6460 Kercheval Ave., Detroit, Mich.  Greensboro: Lily Mills Co., Shelby, N. O	Yarns and threads	Nov. 29, 1943 Nov. 39, 1944 Aug. 31, 1941 Aug. 31, 1942 Aug. 31, 1942 Aug. 31, 1943 Aug. 31, 1945	183, 873, 71 183, 873, 71 183, 873, 71 183, 874, 75 81, 831, 75 81, 831, 75	50000000000000000000000000000000000000	15.83.03 28.120.03 28.120.03 28.120.03 28.120.03 28.120.03 28.120.03 28.120.03 28.120.03 28.120.03 28.120.03 28.120.03 28.120.03 28.120.03 28.120.03 28.120.03 28.120.03 28.120.03 28.120.03 28.120.03 28.120.03 28.120.03 28.120.03 28.120.03 28.120.03 28.120.03 28.120.03 28.120.03 28.120.03 28.120.03 28.120.03 28.120.03 28.120.03 28.120.03 28.120.03 28.120.03 28.120.03 28.120.03 28.120.03 28.120.03 28.120.03 28.120.03 28.120.03 28.120.03 28.120.03 28.120.03 28.120.03 28.120.03 28.120.03 28.120.03 28.120.03 28.120.03 28.120.03 28.120.03 28.120.03 28.120.03 28.120.03 28.120.03 28.120.03 28.120.03 28.120.03 28.120.03 28.120.03 28.120.03 28.120.03 28.120.03 28.120.03 28.120.03 28.120.03 28.120.03 28.120.03 28.120.03 28.120.03 28.120.03 28.120.03 28.120.03 28.120.03 28.120.03 28.120.03 28.120.03 28.120.03 28.120.03 28.120.03 28.120.03 28.120.03 28.120.03 28.120.03 28.120.03 28.120.03 28.120.03 28.120.03 28.120.03 28.120.03 28.120.03 28.120.03 28.120.03 28.120.03 28.120.03 28.120.03 28.120.03 28.120.03 28.120.03 28.120.03 28.120.03 28.120.03 28.120.03 28.120.03 28.120.03 28.120.03 28.120.03 28.120.03 28.120.03 28.120.03 28.120.03 28.120.03 28.120.03 28.120.03 28.120.03 28.120.03 28.120.03 28.120.03 28.120.03 28.120.03 28.120.03 28.120.03 28.120.03 28.120.03 28.120.03 28.120.03 28.120.03 28.120.03 28.120.03 28.120.03 28.120.03 28.120.03 28.120.03 28.120.03 28.120.03 28.120.03 28.120.03 28.120.03 28.120.03 28.120.03 28.120.03 28.120.03 28.120.03 28.120.03 28.120.03 28.120.03 28.120.03 28.120.03 28.120.03 28.120.03 28.120.03 28.120.03 28.120.03 28.120.03 28.120.03 28.120.03 28.120.03 28.120.03 28.120.03 28.120.03 28.120.03 28.120.03 28.120.03 28.120.03 28.120.03 28.120.03 28.120.03 28.120.03 28.120.03 28.120.03 28.120.03 28.120.03 28.120.03 28.120.03 28.120.03 28.120.03 28.120.03 28.120.03 28.120.03 28.120.03 28.120.03 28.120.03 28.120.03 28.120.03 28.120.03 28.120.03 28.120.03 28.120.03 28.120.03 28.120.03 28.120.03 28.120.03 28.120.03 28.120.03 28.120.03 28.120.03 28.120.03 28.120.03 28.120.03 28.120.03 28.120.03 28.120.	33,816,23 41,841,19 2,833,39 23,410,79 13,519,23 53,501,45 56,432,55	17,635.22 17,635.24 None 8,104.55 23,735.34 23,735.34 23,735.34 7,850.51
Indianapolis: The Studebaker Corp., 635 South Main St.,	Manufacturers of automo-		0.,00		00,1000	13,432.43	
South Bend, Ind.  The Studebaker Pacific Corp., 635 South Main St., South Bend, Ind.	biles and parts thereof.  Assembly and sale of automobiles and parts there-	Dec. 31, 1941 Dec. 31, 1942 Dec. 31, 1943 Dec. 31, 1949	2,000,013,01 2,000,417,00 4,003,000 44,203,00 44,203,00	12,532,413,53 12,412,674,73 Nego 1(7),233,72	893,630,61 734,630,43 None 43,833,81	832,323.29 671,095.41 163,670.87 13,834.64	273,521.77 293,829.18 49,439.74 None
Kansas City: Packer Publishing Co., (formerly Barrick Publishing Co., 201 Delaware St., Kansas City, Mo., Springfield Tablet Manufacturing Co., 515 North Jefferson Ave., Springfield, Mo.	of.  Publishing weekly trade newspaper.  Tablet manufacturing	Dec. 31, 1944 Dec. 31, 1945 ( 6) Oct. 31, 1941 Oct. 31, 1942 2		Nen 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,000 15,00	5,837,06 6,661,49 5,857,06 1,163,63 9,637,15 9,637,15	10,542,69 6,323,33 6,564,29 175,23 5,473,44 8,673,44 6,549,63	4,823.04 3,520.55 3,104.25 Non: 2,503.43 5,691.44 4,015.23
Little Rock: Crow-Burlingame Co., 525 West Capitol Ave., Little Rock, Ark.	Wholesale auto accessories.	Oct. 31, 1944	5,67,85 8,67,8 8,69,16 6,77,18 8,77,18 8,77,18	60,000,03	9,637,15 9,637,15 6,833,33	9,125,29 1,629,67 2,533,16 1,912,25 1,164,13	73.03 73.03 812.92 517.40 517.40
Little Rock Road Machinery Co., 1421 East 9th St., Little Rock, Ark.	Road machinery sales	Dec. 31, 1945 4 Oct. 31, 1941 4 Oct. 31, 1943 4 Oct. 31, 1943 4 Oct. 31, 1945 4	********	19,151,45 10,23,11 10,23,11 10,33,11 10,33,11 10,33,11 10,33,11 10,33,13 10,33,13 10,33,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10,53,13 10	1,2%,43 1,2%,43 1,2%,43 12,04%,63 15,66%,43 12,767,21 11,823,44 0,832,27	1,223,80 1,223,81 3,613,67 9,427,45 11,400,43 11,133,73 9,574,33	517.40 None 3.945.20
Los Angeles: Townsend Co. (formerly Cherry Rivet Co.), 231 Winston St., Los Angeles, Calif.	Manufacture and sale of rivets and riveting guns	Dec. 31, 1942	5,740.00	277,733.63	23,603.63	17,20L 11	13,676.55
United Concrete Pipe corp., Baldwin Park, Calif.  Lonsville: Union Underwear Co. (formerly Derby Underwear Co.), 350 5th Aye., New	for airplanes. Concrete pipe and contracting. Underwear manufacturer.	Dec. 31, 1911 Dec. 31, 1913	4,423,50 4,423,50 4,423,50 4,423,50	473,601,19 1,633,767,74 1,017,414,41 80,763,62 82,637,33 83,637,32	19, 823, 44 9, 331, 23 None 10, 121, 69 33, 153, 71 31, 201, 20	4,722.34 8,879.63 1,160.29 2,531.25 19,974.89 22,332.29	None 2,752.69 515.69 None 8,205.57 12,777.53
York, N. Y.  Lower Manhattan: Phelps Dodge Corp., 40 Wall St., New York, N. Y.	Principally, mining, re- fining and fabricating copper.	Nov. 29, 1914 Nov. 29, 1915 Dec. 31, 1912 Dec. 31, 1913 Dec. 31, 1914	6,517.03	81,021,60	31, 291, 29 29, 67, C3 703, C34, 69 1, 522, 634, 64 1, 522, 634, 63 11, 702, 83 11, 702, 83	717,203.40	13,510.05
Segalock Fasteners Inc. (formerly Strauss Fasteners Inc.), 395 Broadway, New York,	Manufacture metal slide fasteners.	Dec. 31, 1949	8,627,631,63 8,627,631,63 8,621,170,47 8,621,170,47 10,557,73 10,537,63	6,013,637,537 6,013,637,537 21,012,81 32,823,12	1,322,032,33 11,702,83 12,032,20	1,255,842.71 1,256,842.72 13,218.23 11,851.20	334,722,29 535,837,62 535,632,73 535,632,73 5,832,44 5,832,11
N. Y. Sterling Drug Inc., 170 Variek St., New York, N. Y.	Manufacture and sale of pharmaceuticals.	Dec. 31, 1943 Dec. 31, 1941 Dec. 31, 1945	8,100,701.00 8,003,001.00 8,003,601.76	450,700,71 (31,500,07 (30,184,01	242,677,63 249,973,60 470,621,22	141,271,73 700,739,70 437,793,73	54,745.40 156.043.42 163,625.23
Milwaukee: Allis-Chalmers Manufacturing Co., 1123 South 70th St., West Allis, Wis.	Manufacture and sale of electrical industrial farm and read machin- ery.	Dec. 31, 1919 Dec. 31, 1911	6,621,751,46 7,692,52,53 7,627,110,63 16,127,62,63 16,131,62 16,131,62 16,131,62 16,131,62 16,131,62	1,177,03.22 2,837,037,03 3,774,473,03 3,774,818,00 2,483,573,83	Nema 701, [ST. 70		None 147, 235, 30 170, 422, 41 170, 000, 62
George Banta Publishing Co., 415 Ahnaip St., Menasha, Wis.	Printing and publishing	Dec. 31, 1943.  Dec. 31, 1945.  Dec. 31, 1941.  Dec. 31, 1942.  Dec. 31, 1943.  Dec. 31, 1943.  Dec. 31, 1945.	191,331,62 191,331,62 191,331,62 191,331,62 191,331,62	3,743,838,60 2,483,2 3,68 31,638,63 63,638,63 133,173,23 133,173,23 133,173,23	9,547,53 14,915,63 14,915,63 14,915,63 14,917,63	13,423.57 14,103.33	23,832,82 1,143,73 5,030,03 5,070,03 5,070,03 5,000,03

See footnotes at end of table.

No. 219—6

Excess Profits Tax Relief Granted Under Section 722 of the Internal Revenue Code by the Commissioner of Internal Revenue—Continued

Fiscal year ended June 30, 1955

Fiscal year ended June 30, 1955							
Name and address of taxpayer (arranged by Internal Rovenue Districts in which excess profits tax returns were filed)	Business in which engaged (	Taxable year ended	Excess profits credit before allowance of relief	Increase in the amount of excess profits credit claimed by taxpayer	Increase in the amount of excess profits credit allowed	Gross reduction in the excess profits (Subchapter E) tax resulting from the operation of section 722	Gross increase in the income (Chapter i) tax result- ing from the opera- tion of sec- tion 722
(1)	(2)	° (3)	(4)	(5)	(6)	(7)	(8)
Milwaukee—Continued Forsberg Paper Box Co., 2107 Fordem Ave., Madison, Wis.  Heard's Creamenes Inc., 225 South Water St. East, Fort Atkinson, Wis.  Sterling Pulp & Paper Co., Eau Claire, Wis	Manufacturing set up boxes, printed cartons and paper tubes. Manufacture of dairy products.  Manufacture of paper and	Dec. 31, 1941 1 Dec. 31, 1942 1 Dec. 31, 1942 1 Dec. 31, 1943 1 Sept. 30, 1941 1 Sept. 30, 1942 1 Sept. 30, 1944 1 Sept. 30, 1946 1 Dec. 31, 1940 Dec. 31, 1940 Jan. 1, 1941, 10 Nov. 30, 1941.	\$13, 827, 55 13, 783, 98 13, 360, 86 10, 871, 83 20, 447, 09 19, 782, 98 30, 532, 97 48, 564, 47	\$13, 732, 25 13, 732, 25 14, 155, 37 101, 473, 21 124, 656, 89 124, 656, 89 13, 656, 69 44, 224, 87 41, 102, 89	\$5,700.02 5,700.03 6,129.14 11,533.40 17,206.52 17,206.52 17,206.52 6,135.65 4,587.23	\$1,007.11 6,135.41 5,616.23 1,638.19 9,241,97 11,010.74 10,129.02 1,469.16 1,376.16	\$378.74 1, 630.72 1, 744.60 3, 976.65 9, 067.30 9, 100.30 819.90 None
	pulp.	Nov. 30, 1941, to	67, 394. 98 67, 460. 95	41, 102.89	7,723.59	3, 533.80 3, 878.90	1, 095, 40 2, 042, 40
Nashville: Atlumer Manufacturing Co., Inc., Knoxville, Tenn.	Furniture manufacturing_	Nov. 30, 1943	7, 543. 99	26, 256, 18 27, 373, 48 27, 274, 45 45, 780, 60 48, 028, 03	56.01 1,173.31 1,074.28	2,769.31 417.87 2,827.18	830, 70 110, 87 803, 52
Roy N. Lotspeich Publishing Co. (formerly Knoxville Publishing Co.,) 618 South Gay St., Knoxville, Tenn.	Newspaper publishing	Dec. 31, 1942 1 Dec. 31, 1943 1 Dec. 31, 1944 1 Dec. 31, 1945 1	22, 049, 34 19, 801, 97 18, 905, 90 16, 732, 04	45, 780. 66 48, 028. 03 48, 924. 10 51, 097. 96	27, 837, 66 29, 073, 03 20, 969, 10 33, 142, 96	15, 916, 20 70, 921, 40 19, 813, 39 22, 675, 81	0, 491, 23 33, 353, 05 10, 813, 39 18, 637, 90
Now Orleans: Hemenway-Johnson Furniture Co., Inc., Alexandria, La.	Wholesale and retail home furnishings.	Nov. 30, 1943 Dec. 31, 1942 Dec. 31, 1942 Dec. 31, 1943 Dec. 31, 1944 Dec. 31, 1944 Mar. 31, 1941 Mar. 31, 1942 Mar. 31, 1943 Mar. 31, 1943 Mar. 31, 1943 Mar. 31, 1946	36, 484, 51 44, 199, 11 44, 199, 11 44, 199, 11 44, 151, 75 43, 538, 84	48, 924, 10 51, 097, 96 69, 937, 96 62, 223, 36 90, 973, 21 90, 973, 21 90, 973, 21	10, 046. 21 23, 250. 89 23, 250. 89 23, 250. 89 23, 250. 89 23, 250. 89	239, 58 11, 339, 83 20, 925, 80 21, 214, 85 22, 083, 34 10, 641, 90	None 3, 515, 35 9, 300, 35 9, 300, 37 9, 300, 36 -7, 007, 11
Oklahoma City: George E. Failing Supply Co., 420–426 East Broadway, Enid, Okla.	Manufacturers oil and water drilling _equip-	1 .		77, 422. 05	None	803.34	357.01
The Liberty Glass Co., Sapulpa, Okla	ment. Glass manufacturer	Dec. 31, 1940 3 Dec. 31, 1941 1 Dec. 31, 1942 1 Dec. 31, 1943 1	61, 502. 08 74, 773. 32 77, 810. 97 77, 420. 79 77, 420. 79	180, 880. 41 181, 004. 30 177, 527. 06 168, 143. 24 177, 143. 24	1 51, 613, 21	13, 128, 44 20, 988, 92 46, 451, 89 46, 451, 89 49, 032, 55	None 8, 360, 60 20, 645, 23 20, 645, 29 20, 645, 23
Southwestern Sales Corp., Philitower Bldg., Tulsa, Okla.	Radio broadcasting	Dec. 31, 1940 3 Dec. 31, 1941 1 Dec. 31, 1941 1 Dec. 31, 1942 2 Dec. 31, 1943 3 Dec. 31, 1944 1 Dec. 31, 1945 1 Dec. 31, 1945 1 Dec. 31, 1941 1 Dec. 31, 1941 2 Dec. 31, 1943 2 Dec. 31, 1943 2 Dec. 31, 1943 2 Dec. 31, 1944 2 Dec. 31, 1945 2	77, 420. 79 18, 840. 06 21, 861. 96 22, 711. 13 39, 523. 01 35, 051. 99 39, 557. 81 35, 017. 19 41, 125. 36 33, 449. 64	177, 143. 24 82, 315. 44 79, 293. 54 77, 444. 37 None 66, 103. 51 None 66, 138. 31	51, 613, 21 51, 613, 21 11, 749, 94 26, 018, 04 54, 758, 87 3, 895, 00 39, 523, 01 3, 895, 00 39, 557, 81 3, 895, 00	40, 451, 80 49, 032, 55 40, 880, 70 2, 037, 49 10, 469, 35 40, 282, 08 3, 505, 50 35, 570, 70 29, 132, 38 3, 700, 25 29, 132, 38 3, 700, 25 30, 069, 09	20, 645, 23 Noun
Omaha: Union Transfer Co., 800 Leavenworth St., Omaha, Nebr. Philadelphia:	Freight transportation	Dec. 31, 1942 1 Dec. 31, 1944 1	9,020.87 15,502.95	43, 408. 95 11, 680. 49	11,630,49 11,630,49	23, 763, 56 8, 014, 50	12, 058, 23 3, 269, 30
Charles Corp., 730 Linden St., Allentown, Pa.  Stuart F. Louchhelm Co. (formerly Motor	tion garments.  Wholesale distributor of	Dec. 31, 1942 2 Dec. 31, 1943 2 Dec. 31, 1944 2 Dec. 31, 1942 1 Dec. 34, 1943 1	113, 101. 64 112, 998. 24 112, 998. 24 19, 798. 08 19, 035. 89	71, 784, 36 71, 784, 36 85, 225, 64	15, 010. 00 15, 010. 00 3, 951. 92	4, 033, 07	0,004,00 0,004,00 0,004,00 2,171,89 2,807,10
Parts Co.), 1229 North Broad St., Phila- delphia, Pa. Manheim Manufacturing & Belting Co., Manheim, Pa. F. J. Stokes Machine Co., Tabor Rd. east of Adams Ave., Philadelphia, Pa.	electrical appliances.  Manufacturing belting and other products.  Machinery manufacture	Dec. 31, 1941 1 Dec. 31, 1942 1 Dec. 31, 1940 1 Dec. 31, 1941 1	11, 640. 72 13, 428. 72 126, 565. 03 157, 401. 42	81, 571, 28 74, 588, 03 89, 453, 81	22, 671, 28 19, 989, 28 13, 865, 16	11, 609, 07 12, 721, 22	3, 413, 81 8, 985, 81 Nonn
Taylor Fibre Co., Norristown, Pa	Manufacturing phenoland vulcanizing fiber and fibrous materials.	Dec. 31, 1941 1	157, 401. 42 157, 401. 42 157, 401. 42 157, 401. 42 53, 447. 68 47, 683. 79	1 00 781.63	27. 200. A	86. 39 11, 735. 25 12, 265. 87 8, 779, 30	1 39.40
Pittsburgh: Firth Sterling Inc., (formerly Firth Sterling Steel Co.), McKeesport, Pa. Fort Pitt Brewing Co., 16th and Mary St., Sharpsburg, Pa	Manufacture of tool steel: Brewing malt beverages	Dgc. 31, 1941 1	338, 919, 96 338, 919, 96	720, 974, 28 720, 974, 28 720, 974, 28	65, 167, 29	34, 314, 17 46, 985, 81 60, 203, 44 31, 497, 23	None 10, 332, 50 16, 668, 53 20, 060, 92 20, 060, 92
Portsmouth: Claremont Waste Manufacturing Co., Main St., Claremont, N. H. Richmond: Ruffin & Payne Inc., 1701 5th Ave., Richmond, Va.	Flock manufacturers Retail building supplies	Dec. 31, 1943 Dec. 31, 1944	77, 954, 48	102, 545, 52 103, 473, 55 40, 362, 32 40, 362, 32 40, 363, 62	3, 514, 08 3, 514, 00 8, 485, 09 8, 485, 09 18, 485, 09	3, 338, 36 7, 636, 58 7, 630, 58 8, 660, 83	1, 405, 63 1, 405, 63 4, 497, 10 4, 497, 10
St. Louis: St. Louis Amusement Co., 527 North Grand Blvd., St. Louis, Mo. St. Paul: Lampert Lumber Co., Snelling and	Operation of theaters Retail lumber and coal			120, 191. 80	45, 547.79	1	8, 055, 45
Grand Aves., St., Paul, Minn.	Actan number and coal	Dec. 31, 1941 Dec. 31, 1942 Dec. 31, 1943 Dec. 31, 1944 Dec. 31, 1945	168, 586, 65 200, 232, 51 200, 232, 51 200, 232, 51 200, 232, 51 200, 232, 51 198, 220, 46	84, 098, 81 84, 098, 80 78, 098, 80 78, 093, 80 82, 264, 58 78, 815, 03	15,861.39 15,861.39 17,695.61	14, 276, 25 14, 276, 25 16, 910, 83	8,678,74
San Francisco: Beaulien Vinyard, 300 Montgomery St., San Francisco, Calif.	Wine manufacturing	1	52, 029, 72 54, 094, 19 55, 196, 95 65, 196, 95 60, 564, 13	68, 677, 11 66, 612, 64 65, 509, 89 65, 509, 89 60, 142, 70	21, 905, 81 20, 803, 05 17, 583, 85	19, 715, 22 18, 722, 75 16, 704, 65	8, 762, 32 8, 321, 23 7, 033, 55 0, 174 35
Pacific Public Service Co., 369 Pine St., San Francisco, Calif.	Holding securities and incidental operations.	Dec. 31, 1942 1 Dec. 31, 1943 1 Dec. 31, 1944 1 Dec. 31, 1945	1,070,408.11 1,070,408.11 1,070,408.03 1,070,408.11	128, 397, 03	1 42 001 80	38, 692, 70 38, 692, 70 40, 842, 29 40, 780, 27	18, 058, 59 18, 050, 69 18, 050, 59 18, 058, 59

See footnotes at end of table.

See footnotes at end of table.

Excess Profits Tax Relief Granted Under Section 722 of the Internal Revenue Code by the Commissional of Internal Revenue—Commissional Fiscal year ended June 20, 1815

Fiscal year ended June 23, 1925							
Name and address of taxpayer (arranged by Internal Revenue Districts in which excess profits tax returns were filed)	Business in which engaged	Taxable year ended	Execus profits credit before allowance of relief	Increase in the amount of excess profits ere lit claimed by taxpayer	Increase in the amount of excess profits credit allowed	Green reduc- tion in the execut profits (Subchapter E) tax result- ing from the operation of ecotion 722	Gress increase in the mooms (Chapter 1) tax resulting from the operation of section 722
(1)	(2)	(3)	(4)	Ø	(ii)	თ	(3)
Springfield: Brower Manufacturing Co., 215 North 3d St., Quincy, Ill. Kuchne Manufacturing Co., Mattoon, Ill Syracuse: The Addis Co., Inc., 449 South Salina St., Syracuse, N. Y. Toledo: Owens-Corning Fiberglas Corp., Nichols Bldg., Toledo, Ohio.		May 31, 1942 1	\$15,61.61 41,63.63 41,63.63 41,63.63 41,63.63 72,70.83 72,70.83 72,70.83 72,70.83 73,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74,70.83 74	28855342222555 288553422225555 843555438855555 200288688864580	\$42.013.40 442.013.47 442.013.47 450.151.71 55,660.157 56,660.15 56,660.24 66,885.02 66,885.02 66,885.02 66,885.02 66,885.02 66,885.02 66,885.02 66,885.02 66,885.02	######################################	\$4,003,25 16,207,60 16,207,60 Non- 6,271,10 14,812,07 14,812,07 14,812,07 14,812,07 14,023,72 14,024,50 410,753,63 257,630,53
Upper Manhattan: American Mauze-Products Co., 100 East 424 St., New York, N. Y.  Carbide and Carbon Chemicals Corp., Union Carbide and Carbon Corp., successor by	Manufacture and sale of corn products.  Manufacture of gases, etc.	Dec. 31, 1941 Dec. 31, 1942	627 668. <b>27</b> 627 668. <b>27</b> 627 668. <b>27</b>	63,637.70 63,532.00 63,532.00 63,532.00	777,001.31 33,607.03 83,707.19 83,707.19 83,707.19 713,000.10 1,001,883.09	######################################	322,847.18 21,153.75 33,653.70 31,223.83 None 371,043.81
Doeskin Products Inc. (formerly San-Nap-Pak Mfg. Inc.), 11 West 42d St., New York, N. Y. Finn Fabrics Corp., 240 Madison Ave., New York, N. Y.	Manufacture of paper products. Silk		10, 574, 623, 54 13, 573, 571, 47 14, 621, 213, 54 14, 621, 213, 54 14, 621, 213, 54 14, 621, 213, 54 170, 623, 70 7, 703, 53 8, 673, 53	10, 133, 423, 53 10, 133, 423, 53 10, 133, 423, 53 413, 413, 62	1,01,83.65 1,01,83.65 1,01,83.65 1,01,83.66 0,311.21	732,90	797, COL 42 797, COL 43 797, COL 43 797, COL 42 15, 172, 23
General Artists Corp. (formerly General Amusement Corp.), c/o Nathaniel Miller, 55 West 42d St., New York, N. Y. The Horn & Hardart Co., 600 West 50th St.,	Booking agency	June C9, 1942   June C9, 1943   June C9, 1944   June C9, 1945   June C9, 1945   Oct. 31, 1943   Oct. 31, 1944   Oct. 31, 1945	8,685 8,665 8,665 8,665 14,636 14,636 14,636 2,636 2,636 2,636	42, 774, 73 41, 601, 47 41, 603, 47 41, 603, 47 41, 603, 47 61, 63, 63 82, 71, 64 63, 711, 42	2,853,44 1,896,15 1,896,15 1,896,15 1,896,15 8,704,64 8,704,64 8,704,64 53,881,61	379.84 1,291.25 1,292.34 6,33.34 5,732.81 1,391.44 51,203.44	113.95 375.96 376.05 190.03 2,800.06 4,652.05 737.61 21,734.00
Pocket Books, Inc., 630 5th Ave., New York, N. Y. Young & Rubicam, Inc., 285 Madison Ave., New York, N. Y.	rants and retail stores. Book publishers. Advertising agency.	Dec. 31, 1942 Dec. 31, 1943 Dec. 31, 1941 Dec. 31, 1942 Dec. 31, 1943 Dec. 31, 1944 Dec. 31, 1945	22,723,57 23,723,57 23,723,54 24,747,63 271,747,18 23,749,63 571,633,43	20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.00.00 20.	200,000,13 200,000,13 200,000,13 20,577,03 20,507,63 112,234,34 20,235,57	275, 573, 70 117, 127, 32 22, 833, 73 39, COT, 53 190, 759, 83 562, 477, 16 60, 617, 24	125,332,52 85,192,12 7,037,73 17,043,23 44,753,93 85,273,54 33,154,63
Wilmington: Canada Dry International Inc., 109 Park Ave., New York, N. Y.  Hercules Powder Co., 900 Market St., Wil- mington, Del.	Carbinated boverages etc.  Manufacture and sale of explosives, chemicals and naval stores.		16,23,60 19,663,23 19,663,23 19,663,23 16,23,23,2 16,23,23,2 16,23,23,2 16,23,2 16,23,2 16,23,2 16,23,2 16,23,2 16,23,2 16,23,2 16,23,2 16,23,2 16,23,2 16,23,2 16,23,2 16,23,2 16,23,2 16,23,2 16,23,2 16,23,2 16,23,2 16,23,2 16,23,2 16,23,2 16,23,2 16,23,2 16,23,2 16,23,2 16,23,2 16,23,2 16,23,2 16,23,2 16,23,2 16,23,2 16,23,2 16,23,2 16,23,2 16,23,2 16,23,2 16,23,2 16,23,2 16,23,2 16,23,2 16,23,2 16,23,2 16,23,2 16,23,2 16,23,2 16,23,2 16,23,2 16,23,2 16,23,2 16,23,2 16,23,2 16,23,2 16,23,2 16,23,2 16,23,2 16,23,2 16,23,2 16,23,2 16,23,2 16,23,2 16,23,2 16,23,2 16,23,2 16,23,2 16,23,2 16,23,2 16,23,2 16,23,2 16,23,2 16,23,2 16,23,2 16,23,2 16,23,2 16,23,2 16,23,2 16,23,2 16,23,2 16,23,2 16,23,2 16,23,2 16,23,2 16,23,2 16,23,2 16,23,2 16,23,2 16,23,2 16,23,2 16,23,2 16,23,2 16,23,2 16,23,2 16,23,2 16,23,2 16,23,2 16,23,2 16,23,2 16,23,2 16,23,2 16,23,2 16,23,2 16,23,2 16,23,2 16,23,2 16,23,2 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	Supplemental list	for fiscal year ended	June 0), 1954				
Albany: Mount Vernon Die Casting Corp., 118 Pearl St., Mount Vernon, N. Y.  Peter Reeves Markets Inc., 701 East 134th St., New York, N. Y.	Manufacturers of dies and die castings.  Retail grocery	Dec. 31, 1941 1 Dec. 31, 1942 1 Dec. 31, 1943 1 Dec. 31, 1944 1 Dec. 31, 1945 1 Dec. 31, 1945 1	\$7, 69, 41 47, 614, 21 47, 614, 21 47, 614, 21 47, 614, 21 12, 842, 62 21, 77, 63 23, 67, 31 24, 119, 31	රීම්ප්විත්තනයි මුද්දිරිප්රියි පෙසෙන්න්නයි පෙසෙන්න්න	8.121.23 7.121.23 7.121.23 7.121.23 12.55 12.55 12.55 12.55 12.55	######################################	\$393.83 3,415.93 3,415.93 2,815.93 2,815.93 1,447.96 11,732.23 10,731.96 8,975.73
Boston: Independent Tallow Co., Inc., 39 Cedar St., Woburn, Mass.  Lester Shoe Co., 224 Crescent Ave., Chelsea,	Rendering plant	Jan. 31, 1942 <sup>1</sup> Jan. 31, 1943 <sup>1</sup> Jan. 31, 1944 <sup>1</sup> Jan. 31, 1945 <sup>1</sup> Jan. 31, 1946 <sup>1</sup>	8,500,72 11,205,16 10,007,42 12,103,53 14,203,14 4,003,53	3,621.63 100,611.15 101,734.83 00,634.75 97,634.16 24,634.37 24,634.37	5,417,23 3,047,00 4,182,63 2,031,44 8,000 2,731,60	3,639,33 3,131,55 3,674,66 2,660,82 47,51 859,30	000.70 000.43 1.237.54 003.23 14.23 Noo.
Mass,  Brooklyn: Model Brassiere Corp., 782 Wythe Ave., Brooklyn, N. Y.	pany.  Manufacturers of brassieres.	98. 31, 1093 Nov. 23, 1094 Nov. 23, 1095 Dec. 31, 1943 Dec. 31, 1943	66632 87732 97739 97739 97739 97739 97839	7.031.47 6.032.47	2.53.43 2.33.44 4.53.44 6.53.45 4.66.13 3.66.13	32.94 32.94 3.599.32 5.601.77	623, 16 32,94 1,401,77 1,500,54 1,233,65 870,04
Camden: Radio Condenser Co., Davis and Copewood Sts., Camden, N. J.	Manufacture of variable radio condensers,	Dec. 31, 1945	13,000,00 142,422,00 142,422,00 142,422,00 142,422,00 7,532,43 8,800,23	50000000000000000000000000000000000000	1,52,21 41,52,22 47,62,22 41,63,23 41,63,23 41,63,23 41,63,23	450.12 445.20 445.20 445.20 445.20 445.20 445.20 445.20 445.20	447.25 6,853.37 19,015.74 19,015.79 19,015.74 19,015.70
Chicago: Kinney Electrical Manufacturing Co., 678 Buckeye St., Elgin, Ill.	Electrical manufacturing	Dec. 31, 1941 Dec. 31, 1942 Dec. 31, 1943 Dec. 31, 1945	7,632.43 8,819.23 8,819.23 8,819.23			22.91 67.29 67.29 640.03	118.77 182.10 182.10 182.19

Excess Profits Tax Relief-Granted Under Section 722 of the Internal Revenue Code by the Commissioner of Internal Revenue—Continued Supplemental list for fiscal year ended June 30, 1954

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Name and address of taxpayer (arranged by Internal Revenue Districts in which excess profits tax returns were filed)	Business in which engaged	-	Excess profits credit before allowance of relief	Increase in the amount of excess profits credit claimed by taxpayer	Increase in the amount of excess profits credit allowed	E) tax result- ing from the operation of section 722	the opera- tion of sec- tion 722
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
Cleveland: Central Outdoor Advertising Co., Inc., 4600 Carnegie Ave., Cleveland, Ohio. The Summit Radio Corp., First Central Tower, Akron, Ohio.	Outdoor advertising	[		\$68, 408, 53 69, 017, 63 69, 167, 12 69, 061, 91	\$59, 563. 87 12, 967. 07 12, 116:55	\$23, 859. 68 6, 768. 09 13, 225. 03	\$7,399,47 2,034,81 4,960,07
*		Dec. 31, 1944 1 Dec. 31, 1945 1	8, 941, 77 11, 294, 51	69, 061, 91 66, 709, 17	13, 011, 35 10, 658, 61	5, 420, 88 9, 405, 01	6, 420, 84 4, 759, 76
Detroit: Ferry-Morse Seed Co., Brush St. and Monroe Ave., Detroit, Mich. Punchpress Repair Corp., 1975 Hilton Rd., Ferndale, Mich.	Seed growers and mer- chants. Machine maintenance and repair.	May 31, 1942 Dec. 31, 1941 2 Dec. 31, 1942 2 Dec. 31, 1943 2		511, 828, 60 15, 969, 21 13, 562, 08 14, 330, 67	23, 870, 71 8, 695, 16 7, 288, 02 7, 056, 61	33, 602, 38 3, 103, 67 7, 110, 78 7, 002, 62	10, 410, 7J 717, 10 2, 133, 24 2, 100, 79
The Timken-Detroit Axle Co., 100-400 Clark Ave., Detroit, Mich.	Manufacturing automobile and truck axies, transmissions, oil burn-	Dec. 31, 1941 2 Dec. 31, 1942 2 Dec. 31, 1943 2 Dec. 31, 1943 2 Dec. 31, 1945 2 Dec. 31, 1940 1 Jan. 1, 1941, to June 30, 1941, 1	3,586.05 3,921.62 1,799,168.03 2,177,272.71	14, 330, 67 14, 138, 01 13, 802, 44 4, 706, 502, 61 5, 649, 083, 74	6, 863, 95 6, 528, 38 127, 146, 61 154, 667, 90	7, 441, 17 6, 992, 21 63, 573, 31 44, 697, 75	2, 123, 80 1, 990, 26 None 13, 850, 31
Wolverine Shoe & Tanning Corp., Rockford, Mich.	ing heaters, etc. Manufacture of leather shoes and gloves.	Dec. 31, 1942 1 Dec. 31, 1941 1 Dec. 31, 1942 1 Dec. 31, 1943 1	2, 226, 798, 87 349, 009, 55 349, 542, 41 349, 658, 08	5, 657, 144. 35 225, 945. 84 125, 212. 25 125, 242. 25 338, 846. 17	131, 261, 83 21, 375, 00 21, 375, 00 21, 375, 00	78, 757, 10 11, 750, 25 31, 093, 20 8, 064, 83	21, 414, 71 3, 044, 44 13, 819, 20 3, 581, 37
Hartford: Manufacturers Supply Co., transferor, Radio Condenser Co., transferee, Davis and Copewood Sts., Camden, N. J. Indianapolis: Union City Sales Corp. (formerly Transit Buses Inc.), Union City, Ind.	Manufacture of variable radio condensers.  Dealer in motor vehicles and parts.	Dec. 31, 1940 1 Dec. 31, 1941 1 Dec. 31, 1943 1 Jan. 31, 1941, to Nov. 30, 1941.2	13, 641. 31 15, 692. 03 15, 692. 05 4, 478. 73	338, 846. 17 337, 115. 43 337, 115. 43 60, 406. 08	17, 616, 46 21, 478, 14 21, 478, 14 12, 554, 69	1, 886, 32 17, 182, 00 10, 330, 32 4, 689, 91	None 5, 326, 42 10, 359, 50 1, 453, 87
Jacksonville: Lake Butler Groves Inc., Winter Garden, Fla.	Citrus fruit grower	30, 1941. <sup>1</sup> June 30, 1942 <sup>1</sup> Dec. 31, 1941 <sup>1</sup> Dec. 31, 1941 <sup>1</sup> Dec. 31, 1942 <sup>1</sup> Dec. 31, 1943 <sup>1</sup> Dec. 31, 1943 <sup>1</sup> Dec. 31, 1943 <sup>1</sup> Dec. 31, 1941 <sup>1</sup> Dec. 31, 1941 <sup>1</sup> Dec. 31, 1941 <sup>1</sup> Mov. 30, 1942 <sup>2</sup> May 31, 1942 <sup>1</sup> May 31, 1943 <sup>1</sup>	6, 525, 59 14, 069, 27 15, 392, 36 15, 392, 36 15, 637, 08	58, 359, 22 13, 065, 71 15, 595, 98 15, 595, 98 15, 351, 26	10, 507. 83 1, 235. 23 1, 574. 64 2, 353. 61 2, 954. 42	4, 980, 97 432, 33 1, 417, 18 2, 167, 05 2, 800, 70	2,451,89 108,08 450,01 917,16 781,67
Los Angeles: U. S. Electrical Motors Inc., 200 East Slauson Ave., Los Angeles, Calif.	Manufacturing	Dec. 31, 1940 Dec. 31, 1941	182, 338. 68 236, 041. 68 251, 489, 93	69, 192, 44	32, 674. 82 41, 013. 22 29, 217. 97	13,069,93 24,607,94 52,592,35	None 7,628,47 23,374,39
W. J. Voit Rubber Corp., 1600 East 25th St., Los Angeles, Calif.	Rubber products manu- facturer.	Dec. 31, 1940	250, 041, 05 251, 489, 81 42, 051, 99 51, 589, 18 51, 440, 86 51, 440, 86 51, 440, 86	406, 935, 34 525, 093, 28 525, 093, 40 103, 231, 77 95, 744, 68 95, 694, 60 95, 694, 60 95, 694, 60 162, 973, 08 194, 693, 38	29, 218, 09 4, 688, 01 5, 360, 84 5, 360, 84 5, 360, 84 5, 360, 84	26, 296, 17 1, 308, 37 3, 220, 91 4, 821, 76	11, 697, 10 None 1, 161, 98 2, 141, 33 310, 40 2, 144, 31 540, 49
Lower Manhattan: Pinkerton's National Detec- tive Agency Inc., 154 Nassau St., New York, N. Y.	Detective agency	Sept. 30, 1946 2 Sept. 30, 1946 2 Dec. 31, 1941 Dec. 31, 1942 1 Dec. 31, 1944 1	51, 440.86 51, 440.86 31, 656.22 35, 750.03 35, 750.03	194, 693, 38	5,360,81 58,343,78 59,219,97 59,219,97 59,219,97	5,092,79 1,283,67 3,807,32 111,121,39 48,171,83 30,089,81	50, 701, 92 21, 889, 41 21, 203, 83
Nashville: Jack Daniel Distillery, Lem Motlow, Prop. Inc., Lynchburg, Tenn.	Distillery	Dec. 31, 1945 1 Apr. 30, 1944 1 Apr. 30, 1945 1		194, 693, 38 458, 395, 85 453, 847, 83	59, 249, 97 115, 447, 75 110, 899, 73	55, 050, 89 89, 705, 12 83, 957, 17	21, 242, 03 49, 452, 60 49, 260, 28
Miller Bros. Co., Inc., Johnson City, Tenn	Manufacturers of hard- wood flooring and inte- rior trim.	Apr. 30, 1946 1 Dec. 31, 1940 1 Dec. 31, 1941 1 Dec. 31, 1942 1 Dec. 31, 1943 1	29, 497, 94 44, 309, 48 51, 949, 69 59, 494, 58 59, 494, 58	451, 200. 16 46, 086. 74 52, 996. 03 45, 451. 14 45, 451. 14	108, 252, 06 7, 406, 21 8, 952, 70 1, 407, 81 1, 407, 81	67, 497, 07 2, 451, 41 4, 476, 35 1, 267, 02 1, 267, 03	39, 035, 84 None 1, 357, 67 563, 12 563, 12
Park Hosiery Mills Inc., Knoxville, Tenn  Omaha;	Hosiery mill	Apr. 30, 1944  Apr. 30, 1945  Apr. 30, 1946  Dec. 31, 1940  Dec. 31, 1941  Dec. 31, 1942  Dec. 31, 1942  Dec. 31, 1944  Dec. 31, 1944  Dec. 31, 1944  June 30, 1941  June 30, 1941  June 30, 1944  June 30, 1944  June 30, 1944  June 30, 1945  June 30, 1945	59, 494, 58 59, 494, 58 2, 634, 64 2, 947, 55 4, 251, 54 5, 251, 24 6, 637, 89 4, 620, 00	45, 451, 14 45, 451, 14 36, 488, 27 38, 244, 58 34, 876, 99 33, 906, 99 32, 470, 64 34, 488, 53	1,407.81 1,407.81 3,702.21 5,627.71 4,318.40 3,318.76 1,912.11 3,930.00	1, 337, 42 1, 337, 42 918, 00 2, 251, 08 4, 147, 80 3, 069, 40 2, 132, 37 2, 003, 02	569, 12 563, 12 None 900, 48 1, 214, 39 896, 67 666, 61 569, 27
Star Printing Co., 12th and M St., Lincoln, Nebr.  State Journal Printing Co., 9th and P Sts.,	Newspaper publishing Publisher of newspaper	Dec. 31, 1943 <sup>1</sup> Dec. 31, 1944 <sup>1</sup> Dec. 31, 1945 <sup>1</sup> Dec. 31, 1943 <sup>1</sup>	47, 292, 30 47, 292, 30 47, 292, 30 47, 548, 00	62, 000, 68 62, 000, 68 62, 000, 68 76, 499, 06	12,770,50 12,770,50 12,770,50 9,957,60	24,707,83 23,785,11 12,132,07 25,359,56	12, 201, 30 10, 014, 78 5, 108, 20 11, 270, 47 3, 983, 04
Lincoln, Nebr.  Parkersburg: The Snap Creck Coal Co., 3206 Carew Tower, Cincinnati, Ohio. Philadelphia: Lehigh Spinning Co., 229 South Carlisle St., Allentown, Pa.	Coal mining	Dec. 31, 1944 1 Dec. 31, 1945 1 Dec. 31, 1944 1 Dec. 31, 1945 1 Aug. 31, 1941 1	72,548.00 72,548.00 9,779.94 17,524.67 19,169.06	76, 499, 26 76, 499, 06 52, 492, 23 44, 647, 59 135, 407, 24	9, 957, 72 9, 957, 60 21, 819, 91 14, 075, 18 13, 358, 79	9,459,72 9,459,72 3,612,23 2,791,89 4,699,83	3, 983, 64 4, 165, 71 1, 176, 80 None
Pittsburgh: Hammermili Paper Co., East Lake Rd., Eric, Pa. St. Paul: Pako Corp., 1006 Lyndale Ave. North, Minneapolis, Minn.	Manufacture of pulp and paper. Manufacturers photo equipment and photo	Dec. 31, 1944 1	23, 958, 24 27, 143, 13 864, 113, 00 860, 102, 94 54, 578, 22	129, 935, 20 120, 685, 67 339, 891, 97 383, 857, 82 153, 833, 93	19, 163, 95 15, 919, 42 None 3, 000, 62 7, 171, 78	10, 365, 10 18, 392, 23 109, 88 3, 178, 76 1, 903, 93	699,00 10,625,48 32,70 1,339,49 691,77
	finishers.  Fumigation of fruits	Oct. 31, 1942 1 Oct. 31, 1943 1 Oct. 31, 1944 1 Oct. 31, 1945 1 Oct. 31, 1946 1 Mar. 31, 1944 1	54, 578, 22 54, 578, 22 54, 578, 22 54, 578, 22 54, 578, 22 54, 578, 22 2, 015, 18	153, 833, 73 153, 833, 73 153, 833, 73 153, 833, 73 153, 833, 73 11, 416, 79	7, 171.78 7, 171.78 7, 171.78 7, 171.78 7, 171.78 7, 171.78 2, 731.82	4, 552, 60 6, 451, 60 6, 753, 44 6, 813, 19 1, 138, 81 2, 493, 31	1,703,74 2,868,71 2,868,71 2,868,71 478,43 738,40
San Francisco: Esotoo Fumigation Co., Ltd., 405 California St., San Francisco, Calif. Scranton: Frank Martz Coach Co., 237 Old River Rd., Wilkes-Barre, Pa.	Bus transportation	Dec. 31, 1911 1	22, 459, 81 22, 763, 78 28, 880, 78	119, 231, 33 121, 166, 64 115, 049, 64	23, 443, 03 25, 378, 34 19, 261, 31	9, 803, 29 24, 795, 30 13, 244, 04	2, 900, 47 10, 652, 67 10, 603, 51
Seattle: Pacific Gamble Robinson Co. (formerly Pacific Fruit & Produce Co., Inc.), Occidental and King Sts., Seattle, Wash.	Wholesale fruits, produce and groceries.	Dec. 31, 1943 1 Dec. 31, 1944 1 Dec. 31, 1945 1 Dec. 31, 1941 Dec. 31, 1941 Dec. 31, 1941 Dec. 31, 1943 Dec. 31, 1943	34, 071, 87 38, 018, 02 375, 562, 50 780, 135, 51	100, 858, 75 105, 012, 60 267, 519, 95 519, 747, 54	14, 070, 25 10, 121, 10 76, 377, 65 138, 101, 01	13, 616, 85 8, 600, 93 14, 861, 40 121, 293, 61	6, 534, 36 4, 533, 43 8, 631, 01 51, 479, 33

See footnotes at end of table.

Excess Profits Tax Relief Granted Under Section 722 of the Internal Revenue Code by the Commissioned of Internal Revenue—Continued
Supplemental list for fiscal year ended June 39, 1954

(arranged by Internal Revenue Districts in which engaged which excess profits tax returns were filed)  (arranged by Internal Revenue Districts in which engaged which engaged in which engage in which engaged in								
Springfield: Western Condenser Co., transferor, Radio Condenser Co., transferor, Copewood Sts., Camden, N. J.    Manufacturers of radio Condenser Co., transferor, Condenser Co., trans	(arranged by Internal Revenue Districts in	Business in which engaged	Taxablo year ended	credit before allowance of	amount of exerca profits credit claimed	the amount of execus preditionalit	tion in the exercisprofits (Subchapter E) tax recult- ing from the operation of	increwe in the income (Chapter 1) tax result- ing rom the opera- tion of sec-
Radio Condenser Co., transferee, Davis and Copewood Sts., Camden, N. J.    Dec. 31, 1914   19, 47, 16   19, 47, 16   19, 47, 16   19, 47, 16   19, 47, 16   19, 47, 16   19, 47, 16   19, 47, 16   19, 47, 16   19, 47, 16   19, 47, 16   19, 47, 16   19, 47, 16   19, 47, 17   19, 47, 17   19, 47, 17   19, 47, 17   19, 47, 17   19, 47, 17   19, 47, 17   19, 47, 17   19, 47, 17   19, 47, 17   19, 47, 17   19, 47, 17   19, 47, 17   19, 47, 17   19, 47, 17   19, 47, 17   19, 47, 17   19, 47, 17   19, 47, 17   19, 47, 17   19, 47, 17   19, 47, 17   19, 47, 17   19, 47, 17   19, 47, 17   19, 47, 17   19, 47, 17   19, 47, 17   19, 47, 17   19, 47, 17   19, 47, 17   19, 47, 17   19, 47, 17   19, 47, 17   19, 47, 17   19, 47, 17   19, 47, 17   19, 47, 17   19, 47, 17   19, 47, 17   19, 47, 17   19, 47, 17   19, 47, 17   19, 47, 17   19, 47, 17   19, 47, 17   19, 47, 17   19, 47, 17   19, 47, 17   19, 47, 17   19, 47, 17   19, 47, 17   19, 47, 17   19, 47, 17   19, 47, 17   19, 47, 17   19, 47, 17   19, 47, 17   19, 47, 17   19, 47, 17   19, 47, 17   19, 47, 17   19, 47, 17   19, 47, 17   19, 47, 17   19, 47, 17   19, 47, 17   19, 47, 17   19, 47, 17   19, 47, 17   19, 47, 17   19, 47, 17   19, 47, 17   19, 47, 17   19, 47, 17   19, 47, 17   19, 47, 17   19, 47, 17   19, 47, 17   19, 47, 17   19, 47, 17   19, 47, 17   19, 47, 17   19, 47, 17   19, 47, 17   19, 47, 17   19, 47, 17   19, 47, 17   19, 47, 17   19, 47, 17   19, 47, 17   19, 47, 17   19, 47, 17   19, 47, 17   19, 47, 17   19, 47, 17   19, 47, 17   19, 47, 17   19, 47, 17   19, 47, 17   19, 47, 17   19, 47, 17   19, 47, 17   19, 47, 17   19, 47, 17   19, 47, 17   19, 47, 17   19, 47, 17   19, 47, 17   19, 47, 17   19, 47, 17   19, 47, 17   19, 47, 17   19, 47, 17   19, 47, 17   19, 47, 17   19, 47, 17   19, 47, 17   19, 47, 17   19, 47, 17   19, 47, 17   19, 47, 17   19, 47, 17   19, 47, 17   19, 47, 17   19, 47, 17   19, 47, 17   19, 47, 17   19, 47, 17   19, 47, 17   19, 47, 17   19, 47, 17   19, 47, 17   19, 47, 17   19, 47, 17   19, 47, 17   19, 47, 17   19, 4	(1)	(2)	(3)	(4)	Ø	(0)	(7)	(5)
	Radio Condenser Co., transferee, Davis and Copewood Sts., Camden, N. J.  Upper Manhattan: The American Home Magazine Corp., 444 Madison Ave., New York, N. Y. Pandia, Inc. (formerly Paper and Industrial Appliances, Inc.), 122 East 42d St., New York, N. Y.	Publishing	Dec. 31, 1941 1 Dec. 31, 1912 1 Dec. 31, 1913 1 Dec. 31, 1944 1 Dec. 31, 1915 1 Dec. 31, 1915 1 Dec. 31, 1919 1 Dec. 31, 1919 1	7, CH, 67 10, CH, 10 10, CH, 10 10 10, CH, 10 10 10, CH, 10 10 10, CH, 10 10 10 10 10 10 10 10 10 10 10 10 10 1	60.80.75 60.80.75 60.80.75 60.80.75 60.80.75 60.80.75 60.80.75 60.80.75 60.80.75 60.80.75 60.80.75 60.80.75 60.80.75 60.80.75 60.80.75 60.80.75 60.80.75 60.80.75 60.80.75 60.80.75 60.80.75 60.80.75 60.80.75 60.80.75 60.80.75 60.80.75 60.80.75 60.80.75 60.80.75 60.80.75 60.80.75 60.80.75 60.80.75 60.80.75 60.80.75 60.80.75 60.80.75 60.80.75 60.80.75 60.80.75 60.80.75 60.80.75 60.80.75 60.80.75 60.80.75 60.80.75 60.80.75 60.80.75 60.80.75 60.80.75 60.80.75 60.80.75 60.80.75 60.80.75 60.80.75 60.80.75 60.80.75 60.80.75 60.80.75 60.80.75 60.80.75 60.80.75 60.80.75 60.80.75 60.80.75 60.80.75 60.80.75 60.80.75 60.80.75 60.80.75 60.80.75 60.80.75 60.80.75 60.80.75 60.80.75 60.80.75 60.80.75 60.80.75 60.80.75 60.80.75 60.80.75 60.80.75 60.80.75 60.80.75 60.80.75 60.80.75 60.80.75 60.80.75 60.80.75 60.80.75 60.80.75 60.80.75 60.80.75 60.80.75 60.80.75 60.80.75 60.80.75 60.80.75 60.80.75 60.80.75 60.80.75 60.80.75 60.80.75 60.80.75 60.80.75 60.80.75 60.80.75 60.80.75 60.80.75 60.80.75 60.80.75 60.80.75 60.80.75 60.80.75 60.80.75 60.80.75 60.80.75 60.80.75 60.80.75 60.80.75 60.80.75 60.80.75 60.80.75 60.80.75 60.80.75 60.80.75 60.80.75 60.80.75 60.80.75 60.80.75 60.80.75 60.80.75 60.80.75 60.80.75 60.80.75 60.80.75 60.80.75 60.80.75 60.80.75 60.80.75 60.80.75 60.80.75 60.80.75 60.80.75 60.80.75 60.80.75 60.80.75 60.80.75 60.80.75 60.80.75 60.80.75 60.80.75 60.80.75 60.80.75 60.80.75 60.80.75 60.80.75 60.80.75 60.80.75 60.80.75 60.80.75 60.80.75 60.80.75 60.80.75 60.80.75 60.80.75 60.80.75 60.80.75 60.80.75 60.80.75 60.80.75 60.80.75 60.80.75 60.80.75 60.80.75 60.80.75 60.80.75 60.80.75 60.80.75 60.80.75 60.80.75 60.80.75 60.80.75 60.80.75 60.80.75 60.80.75 60.80.75 60.80.75 60.80.75 60.80.75 60.80.75 60.80.75 60.80.75 60.80.75 60.80.75 60.80.75 60.80.75 60.80.75 60.80.75 60.80.75 60.80.75 60.80.75 60.80.75 60.80.75 60.80.	71, \$1, \$3 (7), (5), \$3 (7), 119, \$3 (7), 73, 19 (0), 93, \$0 (3), 222, \$2 (4), 74, (6) (5), 74, 96	43,273,63 63,450,24 54,120,59 61,074,70 62,633,63 23,633,72 4,463,11 6,651,45	20, 423, 15

<sup>&</sup>lt;sup>1</sup> Allowance in accordance with decision of the Tax Court of the United States based on agreed settlement of the parties. No previous allowance by the Com-

[F. R. Doc. 55-8813; Filed, Nov. 8, 1955; 8:45 a. m.]

## FEDERAL COMMUNICATIONS COMMISSION

[Docket Nos. 11284, 11285; FCC 55M-922] PACIFIC TELEPHONE & TELEGRAPH CO. AND RADIOMARINE CORPORATION OF AMERICA

ORDER SCHEDULING HEARING

In the matter of The Pacific Telephone & Telegraph Company, Docket No. 11284, application for construction permit to add transmitter to existing station KOU (File No. 13412-F1-P-G) at San Pedro, California; and Radiomarine Corporation of America, Docket No. 11285, application for construction permit for new public class II-B coast station at San Diego, California (File No. 17229-F1-P-D)

No. 17229-F1-P-D)

It is ordered, This 2d day of November 1955, that Elizabeth C. Smith, in lieu of William G. Butts, will preside at the hearing in the above-entitled matter which is hereby scheduled to commence on December 19, 1955, in Washington, D. C.

Released: November 4, 1955.

[SEAT.]

Federal Communications Commission, Mary Jane Morris,

Secretary.

[F. R. Doc. 55-9038; Filed, Nov. 8, 1955; 8:54 a. m.]

[Docket No. 11287, etc.; FCC 55M-919] El Mundo, Inc., et al.

ORDER CONTINUING HEARING

In re applications of El Mundo, Inc., Mayaguez, Puerto Rico, Docket No. 11287, File No. BPCT-1892, Ponce de Leon Broadcasting Company, Inc., of P R., Mayaguez, Puerto, Rico, Docket No. 11288, File No. BPCT-1906, Supreme Broadcasting Company, Inc., Mayaguez, Puerto Rico, Docket No. 11289, File No. BPCT-1911, for construction permits for new television broadcast stations.

The Hearing Examiner having under consideration a motion filed on November 1, 1955, on behalf of Ponce de Leon Broadcasting Company, Inc., of Puerto Rico, requesting that the hearing now scheduled to be held in the above-entitled proceeding on November 7, 1955, be continued until December 29, 1955; and

It appearing that sufficient "good cause" has been set forth in the said motion to warrant the postponement requested therein and that all of the parties to the proceeding have consented to a grant thereof;

It is ordered, This 3d day of November 1955, that the above motion be, and it is hereby, granted; and that the hearing in the above-entitled proceeding is hereby continued until 10:00 o'clock a. m., on Thursday, December 29, 1955, in the offices of this Commission, at Washington, D. C.

Federal Communications
Commission,

[SEAL] MARY JANE MORRIS,
Secretary.

[F. R. Doc. 55-9039; Filed, Nov. 8, 1955; 8:54 a. m.]

[Docket No. 11404, FCC 5514-914]

NIAGARA BROADCASTING SYSTEM (WNIA)

ORDER CONTINUING HEARING

In re application of Gordon P. Brown, tr/as Niagara Broadcasting System (WNIA), Cheektowaga, New York, Docket No. 11404, File No. BMP-6773; For modification of permit to extend completion date.

The Hearing Examiner having under consideration a petition, filed by applicant on November 1, 1955, for further continuance of the hearing now scheduled for November 7, 1955, until November 29, 1955;

It appearing that the proposed continuance, among other things is based on the pendency, before the Commission, of applicant's petition, filed on October 27, 1955, seeking renewed consideration by the Commission of its designation of the application for hearing; and that the Broadcast Bureau, although it does not object to a continuance for the time requested because of its own work schedule, and to an immediate consideration of the present petition, does not feel that the above described reason of petitioner represents "good cause".

It is ordered, This 2d day of November 1955, that the petition for continuance is granted to the extent that the hearing mov scheduled for November 7, 1955 is continued to Tuesday, November 29, 1955, at 10:00 a.m., in the offices of the Commission, Washington, D. C.

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL] MARY JAME MORRIS, Secretary.

[F. R. Doc. 55-9040; Filed, Nov. 8, 1955; 8:54 a. m.]

[Docket Nos. 11421, 11422; FCG 55 M-913] HENRYETTA RADIO Co.

ORDER SCHEDULING HEAPING

In re applications of J. Leland Gourley, Lloyd W. Simpson and Charles E. Engleman, d/b as Henryetta Radio Company, Henryetta, Oklahoma, Docket No. 11421, File No. BP-9308, W. D. Miller, Glyndal D. Roberts and Donaghey G. Sammons, d/b as Henryetta Broadcast-

based on agreed settlement of the parties. No provious showance by the Commissioner.

2 Allowance in accordance with decision of the Tax Court of the United States after hearing on the merits. No previous allowance, by the Commissioner.

2 Allowance made during fiscal year ended June 30, 1935, represents an addition by the Tax Court of the United States to relief previously allowed by the Commissioner and published September 23, 1944.

<sup>4</sup> Allowance mode during fixed year ended June 22, 1935, represents an addition by the Tax Court of the United states to relief product by allowed by the Tax Court of the United States and published (a) September 6, 1974, and (b) August 21, 1933.

4 (a) Additional allowance in accordance with deal for of the Tax Court of the United States based on agreed continuent of the parties. (b) Previous allowance by the Commissioner.

ing Company, Henryetta, Oklahoma, Docket No. 11422, File No. BP-9627 for construction permits.

It is ordered, This 1st day of November 1955, that Thomas H. Donahue, in lieu of William G. Butts, will preside at the hearing in the above-entitled matter which is hereby scheduled to commence on December 2, 1955, in Washington, D. C.

Released: November 3, 1955.

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL]

[SEAL]

Mary Jane Morris, Secretary.

[F. R. Doc. 55-9041; Filed, Nov. 8, 1955; 8:54 a. m.]

[Docket No. 11476; FCC 55M-915]

TROY BROADCASTING CORP. (WTBF)
ORDER SCHEDULING HEARING

In re application of Troy Broadcasting Corporation (WTBF), Troy, Alabama, Docket No. 11476, File No. BP-9696; for construction permit.

It is ordered, This 2d day of November 1955, that James D. Cunningham will preside at the hearing in the above-entitled proceeding which is hereby scheduled to commence on December 6, 1955, in Washington, D. C.

Released: November 3, 1955.

FEDERAL COMMUNICATIONS
COMMISSION,
MARY JANE MORRIS,
Secretary.

[F. R. Doc. 55-9042; Filed, Nov. 8, 1955; 8:55 a. m.]

[Docket Nos. 11484, 11485; FCC 55M-920]

JANE F MOONEY ET AL.
ORDER SCHEDULING HEARING

In re application of Jane F Mooney, B. H. Mooney, Jr., and J. F Mann, Co-executors of the estate of B. H. Mooney, deceased (transferor) and Burgett H. Mooney, Jr. (transferee) Docket No. 11484, File No. BTC-1954; for consent to transfer of control of News Publishing Company licensee of Station WLAQ Rome, Georgia.

OIn re application of News Publishing Company, Docket No. 11485, File No. BR-1512; for renewal of license of Station WLAQ, Rome, Georgia.

It is ordered, This 2d day of November 1955, that J. D. Bond will preside at the hearing in the above-entitled proceeding which is hereby scheduled to commence on December 19, 1955, in Washington, D. C.

Released: November 4, 1955.

Federal Communications Commission.

[SEAL] MARY JANE MORRIS,

Secretary.

[F. R. Doc. 55-9043; Filed, Nov. 8, 1955; 8:55 a. m.]

[Docket Nos. 11519, 11520; FCC 55M-923]

GREENVILLE BROADCASTING CORP. AND WESTERN OHIO BROADCASTING CO., INC.

#### ORDER SCHEDULING HEARING

In re applications of The Greenville Broadcasting Corporation, Greenville, Ohio, Docket No. 11519, File No. BP-9522; Western Ohio Broadcasting Co., Inc., Greenville, Ohio, Docket No. 11520, File No. BP-9888; for construction permits.

It is ordered, This 2d day of November 1955, that H. Gifford Irion will preside at the hearing in the above-entitled proceeding which is hereby scheduled to commence on January 3, 1956, in Washington, D. C.

Released: November 4, 1955.

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL] MARY JANE MORRIS, Secretary.

[F. R. Doc. 55-9044; Filed, Nov. 8, 1955; 8:55 a. m.]

> [Docket No. 11528, FCC 55-1064] WBUF-TV Inc., and National Broadcasting Co., Inc.

MEMORANDUM OPINION AND ORDER DESIGNATING APPLICATION FOR CONSOLIDATED HEARING ON STATED ISSUES

In re application of WBUF-TV Inc., (Assignor) Docket No. 11528, File No. BAPCT-150 and National Broadcasting Company, Inc. (Assignee) for assignment of the construction permit for Station WBUF-TV, Buffalo, New York.

1. The Commission has before it for consideration (a) a "Protest" filed on October 3, 1955, and amended on October 20, 1955, by WGR Corporation, licensee of Standard Broadcast Station WGR and permittee of Television Station WGR-TV Channel 2, both in Buffalo, New York, pursuant to section 309 (c) of the Communications Act of 1934, as amended. directed against the Commission's action of September 21, 1955, granting without hearing the above-entitled application; (b) the "Opposition of WBUF-TV Inc., to Protest to WGR Corpora-tion and Petition to Designate for Hearing and Consolidation" filed on October 20, 1955; 2 (c) the "Opposition of National Broadcasting Company, Inc., to Protest of WGR Corporation" filed on

¹We are not here dealing with WGR Corporation's 'Petition to Designate for Hearing and Consolidation' filed on October 5, 1955, or those pleadings or portions thereof filed by NBC, Westinghouse or WBUF-TV, Inc., in opposition to such Petition. We believe that action on this request for consolidation should be postponed until resolution of the several outstanding questions concerning the Philadelphia and New Britain situation (e. g., whether hearing is to be ordered on the Philadelphia application and/or whether the issues are to be enlarged and an evidentiary hearing ordered with respect to the New Britain application).
²By letter of October 11, 1955, WBUF-TV,

<sup>2</sup>By letter of October 11, 1955, WBUF-TV, Inc., was given an extension of time to October 20, 1955 to file its Opposition.

October 20, 1955. The protested authorjzation permits the assignment of the construction permit for WBUF-TV, Buffalo, New York, from WBUF-TV, Inc., to NBC.

2. Protestant claims that it is a party in interest within the purview of section 309 (c) of the Communications Act of 1934, as amended, because, as the licensee of Standard Broadcast Station WGR and permittee of WGR-TV, both in Buffalo, New York, it will suffer economic injury if the assignment is permitted; that "it will lose its present affiliation with NBC;" that it has been an affiliate of NBC since it commenced commercial operation on August 14, 1954, that the affiliation agreement expires August 13, 1956, and that "it-will lose forever its right to compete for the NBC amiliation which right is substantial in view of WGR's present status as an amliate;" that the "right of competition of broadcast licensees for network affiliation is one of the underlying purposes of the Commission's Chain Broadcast Rules and Regulations;" that the availability of network programs may well mean the difference between success and failure of a television station: that "the economic injury of which it here complains is the direct and immediate result of the change flowing from the Commission's action approving NBC's acquisition of WBUF-TV" Petitioner here cites "Camden Radio, Inc., v. FCC, 220 F 2d 191 (CADC 1955), of WEAT-TV, Inc., FCC 55-971, Released September 29, 1955."

3. In its Opposition to the Protest, the applicant, NBC, attacked WGR's standing as a party in interest, stating that when the 1952 amendments to the Communications Act were passed, the Congress stated that parties in interest from an economic standpoint are defined by the Supreme Court decision in the Sanders Case (309 U.S. 470; (1 Pike and Fischer RR 280)) that the Sanders Case was concerned with and confined to the authorization of a "new and additional station" in a community; that it did not purport to nor did it encompass the transfer or assignment of an existing service such as WBUF-TV; that the logislative history of section 309 (c) confirms this view that in the Camden Case the Court, on rehearing, pointed out its decision was confined to assignments or transfers involving new stations when it

In our opinion, handed down July 15, 1954, we held that when the Commission has approved without a hearing the assignment of a construction permit, the licensee of an existing station shows himself to be a party in interest, entitled under section 300 (c) of the act to protest and be heard, when he alleges he will suffer economic injury from, the operation of the new station. We held no more than that.

4. No extended discussion is needed on this point. We think it clear that under the language of the statute, a transfer or assignment of a permit is subject to

<sup>&</sup>lt;sup>2</sup>In Senate Report No. 44, 82d Cong., 1st Sess., to accompany S. 658, submitted on January 25, 1951.

protest under section 309 (c) by a party aggrieved or adversely affected thereby. WEAT-TV, Inc., FCC File No. BTC-2018, 55-971, September 29, 1955; In re Hyman Rosenblum, 11 RR 826 (1954) Docket No. 11243. We believe NBC's interpretation of the Camden case to be incorrect. See WEAT-TV Inc., supra.

5. NBC further argues that even if section 309 (c) may be applicable in appropriate circumstances to transfer of existing stations, the Protestant has not shown itself to be a "party in interest;" that under that section

any protest \* \* \* shall contain such allegations of fact as will show the protestant to be a party in interest and shall specify with particularity the facts, matters, and things relied upon, but shall not include \* \* \* allegations phrased generally.

NBC takes the position that the showing required of the Protestant is not what could have been shown but what has been shown: that the WGR allegations fail to meet the test in that when it says it "will lose its present amiliation with NBC" it is untrue since that affiliation contract does not expire until August 13, 1956: 4 that the protested assignment in no way affects the terms of the contractual relationship between the parties; that WGR has not provided "a single citation of authority to support the contention that it has a 'right' to network service:" that on the contrary, "the right is in the network to make such an arrangement as it may choose for the distribution of its programs," citing Federal Broadcasting System, Inc., v. ABC, 4 Pike and Fischer RR 2019, 2021 (1948)

- 6. As we stated in our memorandum opinion and order in the WEAT-TV Inc., case, we do not believe the Camden case stands for the carte blanche right of the licensee or permittee of an existing station to protest the granting of an assignment of the construction permit for a competing station in the same community without a showing of injury resulting from the Commission action. In the WEAT-TV Inc., case, we found the petitioners had no standing because of the absence of a showing that the petitioners were adversely affected by the Commission action. Here, however, we believe that a showing has been made. It is clear that as a result of the Commission's action permitting NBC to acquire WBUF-TV WGR will lose forever the valuable NBC network affiliation on August 13, 1956, the date of the expiration of its present network contract. It follows that in a very real sense, WGR is adversely affected by the Commission's action here complained of. Greenville Television Co. v. Federal Communications Commission (CADC 1955) 221 F 2d
- 7. NBC further attacks the Protest claiming "it should be dismissed for want of jurisdiction under Section 309 (c)" and that the Protest was not properly filed "under oath" which is a statutory jurisdictional requirement that cannot be waived by the Commission; that the

signature of the officer of the corporation was not accompanied by any showing that said officer had authority to sign for the corporation, pursuant to by-law or specially delegated powers; and that in "this particular type of action" which NBC likens to institution of litigation, this omission is a fatal jurisdictional defect requiring dismissal of the protest.

- 8. The Commission finds no merit in this contention. Neither the Rules nor the Communications Act provides that such a showing of authority of an officer to act for his corporation is required. In the absence of a specific showing by NEC that the officer signing for WGR Corporation is acting without or in excess of authority vested in him, we think it clear that we may properly assume that he is acting within his authority and with the approval of the corporation. Such an assumption is completely consistent with the long standing and well established Commission policy and practice in similar cases. NEC, with a showing that its claim of lack of authority can be substantiated, may petition this Commission to make the matter an issue for hearing.
- 9. Protestant asks that the application be designated for a full and evidentiary hearing upon the following five issues:
- (1) To determine whether the grant of the application would result in an undue concentration of control of broadcast stations inconsistent with the public interest, convenience and necessity, contrary to § 3.636 of the Rules.
- (2) To determine whether the overall plan of NBC to acquire television stations in New Britain, Philadelphia and Buffalo, in accordance with now pending applications, would result in an undue concentration of control of broadcast stations inconsistent with the public interest, convenience and necessity, contrary to § 3.636 of the Rules.
- (3) To determine whether the circumstances surrounding the agreement for the exchange of Stations WPTZ and KYW Philadelphia, for WNBK-TV and WTAM, Cleveland, adversely reflect on NBC's character qualifications to own and operate broadcast stations in the public interest.
- (4) To determine whether the past history of anti-trust litigation and trade practices of RCA, the parent company of NBC, adversely reflects on NBC's character qualifications to own and operate broadcast stations in the public interest.
- (5) To determine whether, in view of the evidence adduced under the issues, the assignment of the construction permit of WBUF-TV, Buffalo, to NBC will serve the public interest, convenience and necessity.
- 10. In support of Issue Number 1, Protestant argues that NBC is presently the licensee of five VHF television stations located in New York, Washington,

D. C., Cleveland, Chicago and Los Angeles, and submits an engineering affidavit purporting to show that 32,633,900 people representing 22 percent of the total population of the United States "live within the Grade B contours of the five NBC owned and operated television stations;" that the acquisition of WBUF-TV "will add 1,163,300 people to the population already served" and NBC will own television stations "in the two largest population centers of the State (New York City and Buffalo) and thus will dominate both the 'up state' and 'down state' political, business and commercial areas." Consequently, it is said, the acquisition of WBUF-TV "will result in a concentration of control of television broadcasting in a manner inconsistent with the public interest, convenience and necessity in violation of section 3.636 of the Commission Rules, and contravenes its general policy of encouraging diverse ownership of all mass media of communication;" "there is no indication that the Commission has considered such factors as the size, extent and location of areas served, the number of people served, and the extent of other competitive service to the areas in question" as required in Section 3.636 (a) (2) of its Rules and that Clarksburg Publishing Company v. FCC, U. S. Ct. App. D. C. June 9, 1955. 12 RR 2026, requires determination of these issues after a full hearing. Since the Protestant has standing to protest and has set out Issue Number 1 with sufficient particularity as a public interest consideration, we find that the Protestant has a right to a full evidentiary hearing thereon. However, the burden of proceeding with the introduction of evidence and the burden of proof thereof shall be upon the Protestant. We do not adopt this Issue because of the policy considerations set out in our Report and Order, Docket 10322, FCC 54-1185, Mimeo No. 10215, adopted September 17, 1954. We believe these considerations are particularly applicable to the instant case.

11. Apparently in support of requested Issue Number 2, Protestant argues that it has a right to have the Commission consider the effect of not only the mstant Buffalo application, but the Philadelphia and New Britain applications "as part of an over-all plan on the part of NBC to increase the coverage of its owned and operated stations" that consideration of the Buffalo application apart from the others would be arbitrary and capricious, and would prejudice Protestant's right to a fair hearing; and that even assuming that by considering the Buffalo application singly no undue concentration of control can be found to exist, "the comparative difference between the concentration of control which would exist if NEC acquires New Britain and Philadelphia is still a relevant issue."

<sup>&</sup>lt;sup>4</sup> The contract is subject to renewal unless either party five months prior to the expiration of the two year term gives notice of ment not to renew.

The original Protest was signed under oath by the president of WGR Corporation, but lacked a statement as to where it was signed and notarized. The Protect was amended on October 20, 1955 to show signature on behalf of the corporation by the vice president, notarized in the State of New York, County of Erle and City of Buffalo, on that

<sup>\*</sup>It is further stated that NEC is also the licenses of 50 kw standard broadcast stations in New York, San Francisco, Chicago and Cleveland, and a 5 kw regional station in Wachington, all rendering a cervice to areas with a 1939 population of 27,945,636.

12. Issue Number 2 not being a frivo--lous or sham one, and having been alleged with sufficient particularity, there is no question as to Protestant's right to have such an issue in the hearing to be held. Federal Broadcasting System, Inc., v. FCC (Case No. 12252) As to the question of consolidation with other proceedings, we have already pointed out the impropriety of considering such a request at this time (see Footnote 1, supra) We believe rephrasing of the issue is called for. Protestant's argument is not, of course, that the New Britain and Philadelphia applications should be denied-it is rather that if those applications (or either of them) were granted, the grant of the Buffalo application would be found to be inconsistent with the policy established by Section 3.636. We have accordingly rephrased the issue to reflect this argument-and in the manner most favorable to Protestant's cause (i. e., assumption of the New Britain and Philadelphia grants) As in Issue Number 1, the burden of proof on this Issue is placed on Protestant.

13. As support for Issue Number 3, the Protestant alleges that NBC has forced Westinghouse to agree to transfer its Philadelphia stations to NBC by the economic threat of withdrawing network affiliation if Westinghouse refused: that the pending application for the Cleveland-Philadelphia exchange "establishes a prima facie case that Westinghouse is not a voluntary agent but is, in fact, acting under duress in agreeing to this exchange" that "if the Commission finds that NBC utilized its economic powers as a network to force Westinghouse to agree to an exchange of facilities under the threat of losing its affiliation agreement," it could only conclude that NBC's character is such that it would not be in the public interest to permit it to acquire the Philadelphia station or "to operate any broadcast station in the public interest."

14. In regard to this Issue (Number 3) NBC in its Opposition takes the position (as it does with all of the Issues) that all of the facts presented in the Protest were before the Commission when it approved the subject application on September 21, 1955; that no new facts have been presented by Protestant who therefore fails the statutory requirement or test of particularity. As to this Issue, it is clear that NBC's arguments are without merit. We believe that the Protestant has met the statutory standards. Accordingly this Issue is also to be heard, with the burden of proof placed on the Protestant.

15. As support for Issue Number 4, Protestant states "As shown by Exhibit II-4 attached to the WBUF-TV application," NBC and its parent company, Ra-

Civil Action No. 1247, August 9, 1949, July

dio Corporation of America, have an extensive history of anti-trust violations and litigation;" that "the record discloses that RCA has entered into numerous Consent Decrees in anti-trust matters as a result of suits instituted by the United States Government over the past twenty years." Protestant points to the Court decision in Mansfield Journal Co., v. FCC (CADC, 1950) 180 F. 2d, 28, 33, and the Commission's pronouncements in its Report on Uniform Policy as to violations by Applicants of Laws of the United States (Docket 9572, 1 RR. Part III, 91:495) Protestant further relies on a complaint filed in the United States Court for the Southern District of New York on November 19, 1954, m which the Department of Justice charged that RCA "has continuously since November 22, 1932, attempted to monopolize, and has in fact monopolized, the aforesaid interstate trade and commerce in radio-television research, patent holding and patent acquisition, and the issuance and exchange of radio-television patent licenses, in violation of Section 2 of the Sherman Act." Again, we find that the statutory standards have been met and that therefore the hearing shall mclude Protestant's Issue Number 4, with the burden of proof being placed upon the Protestant.

16. Protestant has also requested that the effective date of the Commission's action granting the assignment be postponed until after a hearing and decision on the Protest, stating that "the hearing called for by this Protest can be concluded before" December 31, 1955, the date to which WBUF-TV must continue in operation pursuant to the contract existing between NBC and WBUF-TV, Inc.

17. The Opposition of WBUF-TV Inc., takes the position that WGR Corporation is not entitled to a stay because (a) WGR's affiliation agreement with NBC does not expire until August 13, 1956 and it therefore is assured of the NBC programs by contract through that date; (b) the public would, from December 31, 1955 on, suffer irreparable injury since, on that date, if a stay is granted, WBUF-TV will go off the air; and (c) any hearing ordered under this Protest could not possibly be completed by December 31, 1955. In support of its position, WBUF-TV has furnished, as part of its Opposition, an affidavit, dated October 10, 1955, of the President of WBUF-TV Inc., which states unequivocally that because of the extremely large operating losses suffered by the company,<sup>8</sup> which are still continuing, and pursuant to the unani-

16, 1952 (consolidating actions Nos. 982, 1098 and 1247).

Civil Action No. 85–360, June 12, 1953.

Civil Action No. 89-103, November 9, 1953. Civil Action No. 97-38, November 19, 1954. Civil Action No. 33968, August 19, 1954. Civil Action No. L-2021-54, November 9, 1954. mous resolution of the Board of Directors, WBUF-TV will not operate beyond December 31, 1955, if a stay is granted to the application. In support of its allegation that any hearing could not be finally concluded by December 31, 1955, WBUF-TV, Inc., points to the following minimum procedural steps which caninot, as a matter of law, be cut short without the consent of all parties:

1. Order of Designation.

2. Hearing before the Examiner.

3. Proposed Findings and Conclusions.

4. Examiner's Initial Decision.
5. Exceptions and Request for Oral Argument.

6. Oral Argument before Commission.

7. Final Commission Decision.

WBUF-TV Inc., then points to the fact that various Commission Rules provide for the number of days allowed parties in regard to compliance with some of the said steps, all of which would not permit the issuance of a final Commission decision prior to December 31, 1955. It further presents the results of a statistical study made in regard to the 80 Protests that have been filed with the Commission against grants of broadcast facilities (AM and TV) since Section 309 (c) became law in 1952, which shows that only three which involved an evidentiary hearing have run their course through oral argument and final Commission decision with the time between Order of Designation and Final Decision being 14, 15 and 32 months. In addition, it points to 12 protest proceedings on which evidentiary hearings have been ordered and which are still in hearing status even though the earliest was designated for hearing on November 27, 1954, over 10 months ago, and the latest, on July 13, 1955, more than three months ago. We have checked these allegations and agree that there is no justification for assuming a hearing in this case could be processed through final Commission decision by December 31, 1955.

18. However, we are in doubt, in the light of the facts presently before us and in view of the allegations of the Protestant in its "Reply to Oppositions to Protest", filed October 27, 1955, with respect to those facts, whether a stay of the effectiveness of the instant grant is appropriate. We are aware of the fact, from our records, that WBUF-TV first went on the air with commercial programming on August 17, 1953, under an STA, o that on February 24, 1955, it notified the Commission that it was suspending operations effective with the last program, February 23, 1955, stating that such action was necessary due to heavy losses the station was sustaining in its operations; that the balance sheet of WBUF-TV Inc., as of January 31, 1955, submitted with the assignment application, showed total liabilities exceeded: total assets by approximately \$157,000. that current liabilities exceeded current assets by approximately \$122,000, that the station for the month of January

<sup>&#</sup>x27;Exhibit II-4 gives a brief summary of the following actions involving Radio Corporation of America (parent of NBC) and/or NBC:

RCA v. Lord et al. (1928) 38 F. 2d 257. Civil Action No. 982, December 17, 1946. Civil Action No. 1098, February 6, 1948. Civil Action No. 48c1818, December 7, 1948.

<sup>\*</sup>From August 17, 1953, when WBUF-TV went on the air until the present the corporation has suffered operating losses aggregating more than \$325,000 and "at the present time the losses of the corporation are in excess of \$10,000 per month."

Modified and/or extended August 20 and October 23, 1953; January 12, June 28, August 18 and September 20, 1954; and January 20, 1955.

1955 suffered a net loss of \$12,196.78 and for the period of its operation beginning August 17, 1953 to the date of the balance sheet, a net loss of \$248,521.80; that on March 3, 1955, the Commission authorized suspension of operation for the period of the construction permit which had an expiration date of September 17. 1955; that the station did go off the air on that date; that on March 9, the station notified the Commission that operations would be resumed that day, which action was brought about by and was a condition of its contract with NBC to sell the station and which prefaced the instant assignment application filed on April 8, 1955; that the said contract also contained the provision obligating WBUF-TV to operate the station until December 31, 1955; that the abovementioned affidavit dated October 10, 1955 shows that the corporation will definitely go off the air on December 31. 1955, if a stay is granted; and that the president stated under oath "it does not have financial resources to continue to operate beyond that date."

19. Protestant, in its reply, argues that WBUF-TV is still under the control of the assignor and that "the only 'evidence' that the present service will not be maintained is a self-serving affidavit that the assignor will not maintain that service beyond December 31, 1955, if the Commission stays its action;" that the termination of operation is a voluntary choice and thus the parties cannot invoke the argument that a stay must be denied to preserve that service; that aside from the allegation of WBUF-TV. Inc., that during the month of September 1955, it lost m excess of \$10,000, it has not "established that it cannot maintain its service;" and that the Protestant, not having access to the books of the assignor corporation, cannot determine whether such a loss is a cash one or a bookkeeping one "composed largely of depreciation"

20. It is this latter objection that prompts us at this time to postpone our decision on the request for a stay. We believe that the record upon which we would have to base our decision on this question is presently incomplete with respect to the financial condition of WBUF-TV Inc., for the period from January 31, 1955, to the present. Accordingly, it is requested that a further, detailed showing be made by assignor. and that such showing include, at the least, a balance sheet covering the aforesaid period and a detailed current profit and loss statement. Following the receipt of this data, which may be submitted on or before December 1, 1955, and the allowance of a 10-day period thereafter for the filing of any Opposition or comments by Protestant, we will issue our decision on the question of the stay. Since the assignor is obligated to continue operation until December 31, 1955, and our decision will be made before that date, it is clear that Protestant will in no way be adversely affected by the brief delay involved in obtaining all the pertinent facts.

21. Protestant has advanced certain other arguments directed to the issuance. of the stay. We believe these arguments

can most appropriately be taken up at the time we dispose of the main point at issue with respect to the stay. Accordingly, we do not here rule on these arguments. We also believe it desirable to caution the assignor and the assignee against effectuation of their assignment agreement during the period when the question of the issuance of the stay is being considered; any such effectuation would be at the risk of the parties since, as we have pointed out, the stay issue is still to be resolved. In view of the foregoing,

It is ordered, That the Protest is granted, with the question of the stay to be resolved after receipt of the material referred to in Paragraph 20; and that, pursuant to section 309 (c) of the Communications Act of 1934, as amended, the above-entitled application for assignment of construction permit is des-Commission in Washington, D. C., on the following issues:

(1) To determine whether the grant of the application would result in an undue concentration of control of broadcast stations inconsistent with the public interest, convenience and necessity, contrary to § 3.636 of the rules.

(2) To determine whether acquisition by NBC of television stations in New Britam and Philadelphia, assuming such acquisition is the result of the grant of the now pending applications, would render the grant in Buffalo inconsistent with the public interest, convenience and necessity, and specifically with section 3.636 of the rules.

(3) To determine whether the circumstances surrounding the agreement for the exchange of stations WPTZ and KYW Philadelphia, for WNBK-TV and WTAM, Cleveland, adversely reflect on NBC's character qualifications to own and operate broadcast stations in the public interest.

(4) To determine whether the past history of anti-trust litigation and trade practices of RCA, the parent company of NBC, adversely reflects on NBC's character qualifications to own and operate broadcast stations in the public interest.

(5) To determine whether, in view of the evidence adduced under the issues, the assignment of the construction permit of WEUF-TV Bullalo, to NEC will serve the public interest, convenience and necessity.

The burden of proof as to each of the above issues shall be on the Protestant.

It is further ordered, That the Protestant and the Chief, Broadcast Eureau, are hereby made parties to the proceeding herein and that:

(a) The hearing on the above issues shall commence at 10:00 a.m. on December 19, 1955, before an Examiner to be specified by the Commission;

(b) The parties to the preceeding herein shall have fifteen (15) days after the issuance of the Examiner's decision to file exceptions thereto and seven (7) days thereafter to file replies to any such exceptions; and

(c) The appearances by the partica intending to participate in the above

hearing shall be filed not later than November 15, 1955.

Adopted: November 2, 1955.

[SEAL]

Released: November 4, 1955.

FEDERAL COMMUNICATIONS Commission, MARY JAME MORRIS.

Secretary. [F. R. Doc. 55-9045; Filed, Nov. 8, 1955; 8:55 a.m.]

## CIVIL AERONAUTICS BOARD

[Docket No. 6301]

AMERICAN AIRLINES, Inc., ET AL., FIRST-CLASS AND OTHER PREFERENTIAL MAIL RATE PROCEEDING

#### NOTICE OF HEARING

In the matter of compensation to be ignated for hearing at the offices of the paid to American Airlines, Inc., Northwest Airlines, Inc., Trans World Airlines, Inc., United Airlines, Inc., and Western Air Lines, Inc.; for the transportation of first-class and other preferential mail (other than air mail and air parcel post) by aircraft, the facilities used and useful therefor, and the services connected therewith between Seattle, Washington; Portland, Salem, Bend, Redmond, Eugene, Medford and Klamath Falls, Oregon; San Francisco, Oal:land, Sacramento, Stockton, Modesto, Merced, Salinas, Fresno, Visalia, Bakersfield. Los Angeles and San Diego, California.

Notice is hereby given pursuant to the Civil Aeronautics Act of 1938, as amended, particularly Sections 406 and 1001 of said Act, that hearing in the above-indicated proceeding vill be held on No-vember 16, 1955, at 10 a. m., e. s. t., in Hearing Room E-210, Temporary Building 5. Constitution Avenue and Sixteenth Street NW., Washington, D. C., before Examiner Herbert K. Bryan.

Dated at Washington, D. C., November 3, 1955.

[SEAL]

FRANCIS W. BROWN, Chief Examiner

[F. R. Dac. 55-3631; Filed, Nov. 8, 1955; 8:52 a. m.]

## [Dacket No. SA-311]

Accident Occurring on Medicine Bow PEAR, WYOLING

## NOTICE OF FOSTPONIZHENT OF HEARING

In the matter of investigation of accident involving aircraft of United States Registry N 30002, which occurred on Medicine Bow Peak, Wyoming, October 6, 1955.

Notice of hearing originally assigned to be held purcuant to the Civil Aeronautics Act of 1939, as amended, particularly Section 702 of said Act, in the above-entitled proceeding, on Monday, November 7, 1955, at 9:30 a. m. (local time) in the Farmers Union Building, Room 100, corner of 16th and Sherman Streets, Danver, Colorado, is hereby post-

<sup>\*</sup>Commissioner Bartley not particulating; Commissioner Deerfer discenting; Commiscioner Mack abstaining from voting.

·8408 NOTICES

poned until Monday, November 14, 1955, or allegations phrased generally. Pro- erations between Winston-Salem, N. C. at 9:30 a. m. (local time) at the Cosmo- tests containing general allegations may and Richmond, Va. Applicant is aupolitan Hotel, Century Room, Eighteenth and Broadway, Denver, Colorado. The containing generally. Pro- erations between Winston-Salem, N. C. at 9:30 a. m. (local time) at the Cosmo- tests containing general allegations may and Richmond, Va. Applicant is aupolitan Hotel, Century Room, Eighteenth and Broadway, Denver, Colorado.

Dated at Washington, D. C., November 3, 1955.

[SEAL]

Van R. O'Brien, Presiding Officer

[F. R. Doc. 55-9032; Filed, Nov. 8, 1955; 8:52 a. m.]

# GENERAL SERVICES ADMINISTRATION

## **Public Buildings Service**

[Wildlife Order 34]

FORT FLAGLER MILITARY RESERVATION, JEFFERSON COUNTY, WASH.

TRANSFER OF PROPERTY FOR MIGRATORY BIRD CONSERVATION

Pursuant to the provisions of section 2 of Public Law 537, Eightieth Congress, approved May 19, 1948 (16 U. S. C. 667c) notice is hereby given that:

1. By letter of transfer from the Department of the Army dated September 26, 1955, signed by Colonel N. A. Matthias, Corps of Engineers, District Engineer, Portland, Oregon, a portion of that property known as Fort Flagler Military Reservation in Jefferson County, Washington, has been transferred to the Department of the Interior.

2. The above described property is transferred to the Department of the Interior for migratory bird conservation purposes in accordance with the provisions of said Public Law 537.

P. A. STROBEL, Commissioner of Public Buildings Service.

November 4, 1955.

[F. R. Doc. 55-9063; Filed, Nov. 7, 1955; 12:30 p. m.]

## INTERSTATE COMMERCE COMMISSION

[Notice 85]

MOTOR CARRIER APPLICATIONS

NOVEMBER 4, 1955.

Protests, consisting of on original and two copies to the granting of an application must be filed with the Commission within 30 days from the date of publication of this notice in the FEDERAL REGIS-TER and a copy of such protest served on the applicant. Each protest must clearly state the name and street number, city and state address of each protestant on behalf of whom the protest is filed (49 CFR 1.240 and 1.241) Failure to seasonably file a protest will be construed as a waiver of opposition and participation in the proceeding unless an oral hearing is held. In addition to other requirements of Rule 40 of the General Rules of Practice of the Commission (39 CFR 1.40) protests shall include a request for a public hearing, if one is desired, and shall specify with particularity the facts, matters, and things, relied upon, but shall not include issues

or allegations phrased generally. Protests containing general allegations may be rejected. Requests for an oral hearing must be supported by an explanation as to why the evidence cannot be submitted in forms of affidavits. Any interested person, not a protestant, desiring to receive notice of the time and place of any hearing, pre-hearing conference, taking of depositions, or other proceedings shall notify the Commission by letter or telegram within 30 days from the date of publication of this notice in the Federal Register.

Except when the circumstances require immediate action, an application for approval, under Section 210a (b) of the Act, of the temporary operations of motor carrier properties sought to be acquired in an application under Section 5 (2) will not be disposed of sooner than 10 days from the date of publication of this notice in the Federal Register. If a protest is received prior to action being taken, it will be considered.

## APPLICATIONS OF MOTOR CARRIERS OF PROPERTY

No. MC 1494 Sub 14, filed October 26, 1955, GROSS COMMON CARRIER, West Grand Street, INC.. Wisconsin Rapids, Wis. Applicant's attorney. Claude J. Jasper, One West Main Street, Madison 3, Wis. For authority to operate as a common carrier transporting: General commodities, except those of unusual value, Class A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment, between Mauston, Wis., and junction U.S. Highways 82 and 51 over U.S. Highway 82, serving no intermediate points, as a connecting route, in connection with carrier's regular route operations between (a) New Lisbon, Wis., and Sheboygan, Wis., (b) Mauston, Wis., and Hillsboro, Wis., and (c) Sparta, Wis., and Mauston, Wis. Applicant is authorized to conduct operations in Minnesota and Wisconsin.

NOTE: Applicant's attorney in letter transmitting the application states this is a new route occasioned by the building of a bridge over the Wisconsin River several miles east of Mauston, Wis.

No. MC 2202 Sub 135, filed October 28, 1955, ROADWAY EXPRESS, INC., 147 Park Street, P'O. Box 471, Akron, Ohio. Applicant's attorney. William O. Turney, 2001 Massachusetts Avenue, N. W., Washington 6, D. C. For authority to operate as a common carrier over a regular route, transporting: General commodities, except those of unusual value, Class A and B explosives, livestock, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment, between Winston-Salem, N. C. and Junction U. S. Highway 158 and North Carolina Highway 68 east of Stokesdale, N. C., from Winston-Salem over North Carolina Highway 150 to Oak Ridge, N. C., thence over North Carolina Highway 68 to junction with U.S. Highway 158 east of Stokesdale, and return over the same route, serving no intermediate points, but serving junction points for purposes of joinder only, in connection with applicants authorized alternate route operations between Winston-Salem, N. C. and Richmond, Va. Applicant is authorized to conduct operations in Alabama, Connecticut, Delaware, Georgia, Illinois, Indiana, Kansas, Kentucky, Maryland, Michigan, Missouri, New Jersey, New York, North Carolina, Ohio, Oklahoma, Pennsylvania, South Carolina, Tennessee, Texas, Virginia, West Virginia, Wisconsin and the District of Columbia.

No. MC 11620 Sub 14, filed October 17, 1955, GEORGE BUSSE, doing business as THE ARROW TRANSFER COMPANY, 339 Main Street, Danville, Ky. Applicant's attorney Noel F. George, 44 East Broad Street, Columbus 15, Ohio. For authority to operate as a contract carrier over irregular routes, transporting: Oleomargarine, from Cincinnati, Ohio, to points in Tennessee, North Carolina, South Carolina, Georgia, and Florida.

No. MC 11620 Sub 15, filed October 17, 1955, GEORGE BUSSE, doing business as THE ARROW TRANSFER COMPANY, 339 Main Street, Danville, Ky. Applicant's attorney Noel F George, 44 East Broad Street, Columbus 15, Ohio. For authority to operate as a contract carrier, over irregular routes, transporting: Cheese, from Stanford, Ky., to points in New York, New Jorsey, and Pennsylvania. Applicant is authorized to conduct operations in Florida, Georgia, Kentucky, North Carolina, Ohio, South Carolina, and Tennessee.

No. MC 31462 Sub 5, filed September 19, 1955, (Amended), published page 7887 issue of October 19, 1955, ACME VAN LINES, INC., 912 Troost Ave., Kansas City 6, Mo. Applicant's attorney Carll V. Kretsinger, Suite 1014-18 Templo Bldg., Kansas City 6. Mo. For authority to operate as a common carrier, over irregular routes, transporting: Household goods, as defined by the Commission, between points in Missouri and Kansas, on the one hand, and, on the other, points in Missouri, Kansas, Arkansas, Oklahoma, Colorado, Iowa, Illinois, and Indiana.

Note: Applicant states that if the above substituted authority is granted it will request cancellation of its authority in Certificates Nos. MO 31462 and MO 31462 Sub 4, which, territorially, authorize transportation of household goods between Kansas City, Mo. and points within 30 miles thereof, on the one hand, and, on the other, points in Kansas, Arkansas, Oklahoma, Colorado, Iowa, Illinois, and Indiana, and between points in Kansas, on the one hand, and, on the other, points in Missouri. Applicant will retain its authority in MO 31462 Sub 2 which authorizes transportation of household goods between Omaha, Nebr. and points in Nebraska within 100 miles of Omaha, on the one hand, and, on the other, points in Iowa, Illinois, Missouri, Georgia, and Ohiō. By the authority as proposed and the deletion of that which would be cancelled, applicant will eliminate its present Kansas City, Mo. gateway operation.

No. MC 31600 Sub 394, filed October 17, 1955, P B. MUTRIE MOTOR TRANSPORTATION, INC., Calvary St., Waltham 54, Mass. For authority to operate as a common carrier, over irregular routes, transporting: (1) Formaldchyde, in bulk, in tank vehicles, from Banbridge, N. Y., to points in Connecticut, Maine, Maryland, Massachusetts,

New Hampshire, North Carolina, Pennsylvania, Rhode Island, Vermont, Virginia, and West Virginia; (2) glues, resins, starches, surface coatings, sizings and latex, in bulk, in tank vehicles, (a) from Bainbridge, N. Y., to points in Bronx, Kings, Nassau, New York, Queens, Richmond, Suffolk, and Westchester Counties, N. Y., and those in Connecticut, Delaware, Maine, Maryland, excepting glue to Bethesda, Massachusetts, New Hampshire, New Jersey, North Carolina, Pennsylvania, Rhode Island, Vermont, Virginia, and West Virginia, (b) from Peabody, Mass., to points in New York, excepting those located on and east of U.S. Highway 9W and on and south of New York Highway 7. Delaware, Maryland, North Carolina, Pennsylvania, Virginia, and West Virginia; (c) from Leominster, Mass., to points in New York located west of U.S. Highway 9W and north of New York Highway 7, and those in Connecticut, Delaware, Maine, Maryland, New Hampshire, North Carolina, Pennsylvania, Rhode Island, Vermont, Virginia, and West Virginia; (3) chemicals, glues, varnishes, and resins, in bulk, in tank vehicles, from Springfield, Mass., to Waukegan, Ill., New Albany, Ind., Henderson, Ky., Laurel, Md., and Odenton, Md., Detroit, Mich., Cattaraugus, N. Y., Linwood, Lexingtn, Thomasville, and Rural Hall, N. C., Cleveland, Ohio, Jamestwn, Pa., and Williamsport, Pa., Orangeburg, S. C., and Roanoke, Va. Applicant is authorized to conduct operations in New Jersey, Connecticut, Delaware, Massachusetts, New Hampshire, New York, Pennsylvania, Rhode Island, Vermont, Ohio, and Maryland.

No. MC 38183 Sub 35, filed October 17, 1955, (amended) Published on page 8235 of issue of November 2, 1955. WHEELOCK BROS., INC., 720 E. 3rd St., Kansas City, Mo. Applicant's attorney James F Miller, 500 Board of Trade, 10th and Wyandotte, Kansas City 6, Mo. For authority to operate as a common carrier over a regular route, transporting: Meats, meat products and meat byproducts, dairy products, and articles distributed by meat-packing houses, as defined by the Commission, and such commodities as are used by meat packers in the conduct of their business when destined to and for use by meat packers, between Arkansas City, Kans., and Lindsborg, Kans., over U. S. Highway 166 from Arkansas City to junction U.S. Highway 81, thence over U.S. Highway 81 to Wichita, Kans., thence over presently authorized route (U.S. Highway 81) to Lindsborg, and return over the same route, serving the intermediate point of Wellington, Kans. Applicant is authorized to conduct operations in Colorado, Illinois, Indiana, Kansas, and Missouri.

No. MC 40007 Sub 44, filed October 26. 1955, RELIABLE TRANSPORTATION COMPANY, 4817 Sheila St., Los Angeles 22, Calif. For authority to operate as a common carrier over irregular routes. transporting: Sulphuric acid, in bulk, in tank vehicles, from El Segundo, Calif... to Henderson, Nev.

No. MC 52713 Sub 6, filed October 26. 1955, MAXINE HUTCHENS AND B. F.

BABB, doing business as CASSVILLE TRUCK LINE, Cassville, Mo. Applicant's attorney Joseph R. Nacy, 117 W. High St., Jefferson City, Mo. For authority to operate as a common carrier, over regular routes, transporting: General commodities, except those of unusual value, Class A and B explosives, household goods as defined by the Commission, commodities in bulk, and commodities requiring special equipment, between Springfield, Mo. and Gateway, Ark., from Springfield over U.S. Highway 60 to junction Missouri Highway 37 at Monett, Mo., thence over Missouri Highway 37 to the Missouri-Arkansas state line and junction Arkansas Highway 47, thence over Arkansas Highway 47 to Gateway, Ark. and junction U.S. Highway 62, and return over the same route, serving the Missouri-Arkansas state line as an intermediate point. Applicant is authorized to conduct operations in Missouri.

Nore: Applicant holds authority between Springfield, Mo. and Seligman, Mo. over U.S. Highway 60 to Monett, Mo. and thence over Missouri Highway 37 to Seligman, cerving the intermediate points of Cassville, Monett, Purdy, Butterfield, and Washburn, Mo. and the off-route point of Wayne, Mo.

No. MC 52858 Sub 50, filed October 31, 1955, CONVOY COMPANY, 3900 N. W. Yeon Ave., Portland 10, Oreg. Applicant's attorney Marvin Handler, 465 California St., San Francisco 4, Calif. For authority to operate as a common carrier over irregular routes, transporting: Automobiles, trucks, and busses, not including trailers in initial movements, in truckway service, from Kenosha, Wis., to points in Oregon, Washington, Idaho, Nevada and California. Applicant is authorized to conduct irregular route operations in California, Idaho, Oregon, Washington, Montana, Nevada, Utah, Wyoming, New Mexico, Arizona and Colorado.

No. MC 59014 Sub 13, filed October 28, 1955, TALLANT TRANSFER COMPANY, INC., 1341-2nd Ave., S. W., Hickory, N. C. For authority to operate as a common carrier over irregular routes, transport-ing: (1) New furniture (a) from points in Alexander, Burke, Caldwell, Catawba, Iredell, Lincoln, Mecklenburg, Mc-Dowell, and Wilkes Counties, N. C., to points in Arkansas, Mississippi, and Missouri, those in Louisiana on, north, and east of a line beginning at New Orleans, La. and thence extending along U. S. Highway 61 to Baton Rouge, La., thence along U.S. Highway 190 to junction U.S. Highway 71, and thence along U. S. Highway 71 to the Arkansas-Louisiana State line, and those in Wisconsin on, south, and east of U.S. Highway 151, (b) from points in Alexander. and Iredell Counties, N. C., to points in Alabama, Connecticut, Delaware, Florıda, Georgia, Illinois, Indiana, Kentucky, Maryland, Massachusetts, Michigan, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Tennessee, Virginia, West Virginia, and the District of Columbia, (c) from points in Wilkes, Lincoln, and Mecklenburg Counties, N. C., to points in Indiana, Illinois, Massachusetts, Connecticut, Rhode Island, and Michigan, excepting no service

from points in Lincoln County to points in Michigan, (d) from points in Burke, Caldwell, and McDowell Counties, N. C., to points in Michigan, Indiana, and Illinois, (e) from points in Catawba County, N. C., to points in Indiana, and points in Illinois which are located in the Chicago, Ill. Commercial Zone as defined by the Commission, (f) from Beacon, N. Y., to Philadelphia, Pa. and points in Delaware, Maryland, Virginia, North Carolina, Tennessee, and the District of Columbia, and (g) from points in Burke County, N. C., to points in New York on, west, and south of a line beginning at Oswego, N. Y., and thence extending along New York Highway 57 to Syracuse, N. Y., thence along New York Highway 5 to Schenectady. N. Y., and thence along New York Highway 7 to the New York-Vermont State line, (2) petroleum products, in containers, from Kansas City, Mo., to points in North Carolina on and west of U.S. Highway 1, and (3) damaged shipments of the above specified commodities, on return movements, from above-named points of destination and points in above-named destination territories, to above-named origin points and points in above-named origin territories. Applicant is authorized to conduct operations in Alabama, Connecticut, Delaware, Florida, Georgia, Illinois, Kentucky, Maryland, Massachusetts, Michigan, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Tennessee, Virginia, West Virginia, and the District of Columbia.

No. MC 59124 Sub 3, filed October 31, 1955, GEORGE P. MAIERS and CLARE E. MAIERS, doing business as MATERS & SONS MOTOR FREIGHT, 5980 Fulton St., P. O. Box 412, Mayville, Mich. Applicant's attorney Robert E. DesRoches. 572 Hollister Building, Lansing 8, Mich. For authority to operate as a common carrier transporting: General commodities, except those of unusual value, Class A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment, serving the site of the Sterling Plant of the Ford Motor Company (Chassis Parts Division) located at or near the intersection of Mound Road and Seventeen Mile Road in Sterling Township, Macomb County, Mich., as an offroute point in connection with regular route operations to and from Detroit. Mich., over Michigan Highway 53. Applicant is authorized to conduct opera-

tions in Michigan.

No. MC 66562 Sub 1255, filed October 25, 1955, RAILWAY EXPRESS AGENCY, INCORPORATED, 219 East 42nd Street, New York 17, N. Y. Applicant's attorney . J. H. Mooers, same address as applicants. For authority to operate as a common carrier over a regular route. transporting: General commodities, including Class A and B explosives, moving in express service, between Middleboro, Mass., and Taunton, Mass., over U. S. Highway 44, serving no intermediate points. RESTRICTION: (a) The authority applied for is subject to the condition that service to be performed shall be limited to service which is auxiliary to, or supplemental of, air or railway

express service; (b) Shipments transported by carrier shall be limited to those moving on a through bill of lading or express receipt, covering, in addition to the motor carrier movement by carrier. an immediately prior or immediately subsequent movement by air or rail; and (c) Such further specific conditions as the Commission in the future may find it necessary to impose in order to restrict carrier's operation to service which is auxiliary to, or supplemental of, air or railway express service. Applicant is authorized to conduct operations throughout the United States.

No. MC 66562 Sub 1256, filed October 25, 1955, RAILWAY EXPRESS AGENCY,\_ INCORPORATED, 219 East 42nd Street, New York 17, N. Y. Applicant's attorney J. H. Mooers, same address as applicants. For authority to operate as a common carrier over a regular route, transporting: General commodities, including Class A and B explosives, moving in express service, between Fall River, Mass., and New Bedford, Mass., over U.S. Highway 6, serving no intermediate points. RESTRICTION. (a) The authority applied for is subject to the condition that service to be performed shall be limited to service which is auxiliary to, or supplemental of, air or railway express service; (b) Shipments transported by carrier shall be limited to those moving on a through bill of lading or express receipt, covering, in addition to the motor carrier movement by carrier, an immediately prior or immediately subsequent movement by air or rail; and (c) Such further specific conditions as the Commission in the future may find it necessary to impose in order to restrict carrier's operation to service which is auxiliary to, or supplemental of, air or railway express service. Applicant is authorized to conduct of throughout the United States. operations

No. MC 70451 Sub 177, filed October 25, 1955, WATSON BROS. TRANSPORTATION CO., INC., 802 South 14th St., Omaha, Nebr. Applicant's attorney Harold G. Hernly, 1624 Eye St., N. W., Washington 6, D. C. For authority to operate as a common carrier transportmg: General commodities, including Class A, B, and C explosives, but excepting household goods, as defined by the Commission, commodities in bulk, and commodities requiring special equipment, (1) between the sites of The Rocky Mountain Arsenal, near Denver, Colo., Iowa Ordnance Plant, near Burlington, Iowa, Sunflower Ordnance Works, near DeSoto, Kansas., and Savanna Ordnance Plant, near Savanna, Ill., on the one hand, and, on the other. points on the irregular routes of applicant, and (2) serving the site of The Rocky Mountain Arsenal, near Denver, Colo., Iowa Ordnance Plant, near Burlington, Iowa, Sunflower Ordnance Works, near DeSoto, Kans., and Savanna Ordnance Plant, near Savanna, Ill., as off-route points in connection with applicant's authorized regular route operations together with motion to dismiss on the ground that the authority applied for in the instant application is presently authorized to applicant in its consolidated Certificate No. MC 70451,

issued on July 19, 1949. Applicant is authorized to conduct operations in Arizona, Arkansas, California, Colorado, Idaho, Illinois, Indiana, Iowa, Kansas, Minnesota, Missouri, Montana, Ne-braska, New Mexico, Oregon, Texas, Utah, Washington, and Wyoming.

No. MC 79540 Sub 2, filed October 18, 1955, BENNY CRIMBLY, 603 Morgantown St., Point Marion, Pa. Applicant's attorney Henry M. Wick, Jr., 1211 Berger Bldg., Pittsburgh 19, Pa. For authority to operate as a common carrier over irregular routes, transporting: Such bulk commodities as are transported in dump trucks, between points ın Pennsylvanıa, West Virginia, and Maryland within 35 miles of Markleysburg. Pa. Applicant is authorized to conduct operations between named West Virginia and Pennsylvania Counties.

No. MC 85154 Sub 2, filed October 20, 1955, R. J. CROUTHAMEL, 855 Cherry St., P O. Box 792, Norristown, Pa. Applicant's attorney Robert H. Shertz, 811–819 Lewis Tower Building, 225 S. 15th St., Philadelphia 2, Pa. For authority to operate as a common carrier over irregular routes, transporting: Wire, battery cables, rubber hose, steel tubing, conduit pipe, pipe fittings, junction boxes, and cable housings, from Conshohocken, Pa., to points in New Jersey located on and within a boundary line beginning at the Delaware River where intersected by New Jersey Highway 413 near Burlington, N. J., and thence extending southwesterly along the Delaware River to New Jersey Highway 49 near Pennsville, N. J., thence southeasterly along New Jersey Highway 49 to Millville, N. J., thence northerly along New Jersey Highway 47 to junction New Jersey Highway 54, thence northeasterly along New Jersey Highway 54 to junction U.S. Highway 206, thence northeasterly and northerly along U.S. Highway 206 to junction New Jersey Highway 70, thence easterly along New Jersey Highway 70 to junction New Jersey Highway 539, thence northwesterly along New Jersey Highway 539 to junction New Jersey Highway 528, thence southwesterly and westerly along New Jersey Highway 528 to junction U.S. Highway 130, thence southwesterly along U.S. Highway 130 to junction New Jersey Highway 413, and thence northwesterly along New Jersey Highway 413 to point of beginning at the Delaware River near Burlington, N. J. Applicant is authorized to conduct operations in New Jersey and Pennsylvania.

No. MC 95084 Sub 21 (Reopened-Further Hearing) filed January 7, 1954, HOVE TRUCK LINE, A Corporation, Stanhope, Iowa. Applicant's representative: William A. Landau, 1307 East Walnut Street, Des Moines 16, Iowa. For authority to operate as a common carrier over irregular routes, transporting: Agricultural machinery, agricul-tural implements, agricultural machinery parts, and agricultural implement parts, (1) from Collegeville, Pa., to points in Colorado, Illinois, Indiana, Iowa, Kansas, Kentucky, Michigan, Minnesota, Missouri, Nebraska, North Dakota, Ohio, South Dakota, Wisconsin and Wyoming, and (2) from Fort Dodge, Iowa, to Syracuse, N. Y. Applicant is authorized to conduct irregular route operations in Colorado, Illinois, Indiana, Iowa, Kansas, Kentucky, Michigan, Minnesota, Missouri, Nebraska, North Dakota, Ohio, Pennsylvania, Dakota, Wisconsin and Wyoming. South

No. MC 103880 Sub 159, filed October 26, 1955, PRODUCERS TRANSPORT, INC., 530 Paw Paw Ave., Benton Harbor, Mich. Applicant's attorney 'Jack Goodman, 39 S. La Salle St., Chicago 3, 111. For authority to operate as a common carrier over irregular routes, transporting: Petroleum oils, in bulk, in tank vehicles, from Mishawaka, Ind. to Bucyrus. Ohio. Applicant is authorized to conduct operations in Illinois, Indiana, Michigan, Kentucky, Wisconsin, Ohio,

and Pennsylvania.

No. MC 106914 Sub 9, filed October 31, 1955, HAROLD FINE, doing business as AMERICAN CARTAGE COMPANY, 1575 Fairfield Ave., Cleveland, Ohio. Applicant's representative: G. H. Dilla, 3350 Superior Ave., Cleveland 14, Ohio. For authority to operate as a common carrier over irregular routes, transporting: General commodities, except those of unusual value, Class A and B explosives, livestock, household goods, as defined by the Commission, commodities in bulk, and those requiring special equipment, serving the site of the General Motors Corporation, located on the south side of U.S. Highway 30, and 3 miles west of Mansfield, Ohio, in connection with applicant's authorized operations. Applicant is authorized to conduct operations in Michigan, Ohio. and Pennsylvania,

No. MC 106914 Sub 10, filed October 31, 1955, HAROLD FINE, doing business as AMERICAN CARTAGE COMPANY, 1575 Fairfield Ave., Cleveland, Ohio. Applicant's representative: G. H. Dilla, 3350 Superior Ave., Cleveland 14, Ohio. For authority to operate as a common carrier over irregular routes, transporting: General commodities, except those of unusual value, Class A and B explosives, livestock, household goods, as defined by the Commission, commodities in bulk, and those requiring special equipment, between Cleveland, Ohio, and the site of the Chrysler Corporation Plant, Macedonia, Ohio. Applicant is authorized to conduct operations in Ohio, Pennsylvania, and Michigan.

No. MC 106914 Sub 11, filed October 31, 1955, HAROLD FINE, doing business as AMERICAN CARTAGE COMPANY, 1575 Fairfield Ave., Cleveland, Ohio. Applicant's representative: G. H. Dilla, 3350 Superior Ave., Cleveland 14, Ohio. For authority to operate at a common carrier over irregular routes, transporting: General commodities, except those of unsuual value, Class A and B explosives, livestock, household goods, as defined by the Commission, commodities in bulk, and those requiring special equipment, serving the sites of the Packard Motor Car Co., and Bailey-Perkins Company Plant, near Utica, Mich., in connection with applicant's authorized operations. Applicant is authorized to conduct operations in Ohio, Michigan, and Pennsylvania.

No. MC 107002 Sub 87, filed October 27, 1955, WALTER M. CHAMBERS, doing business as W M. CHAMBERS TRUCK LINE, 105 Guiffrias Avenue, P. O. Box 687, New Orleans, La. For authority to operate as a common carrier over irregular routes, transporting: Liquefied petroleum gases, in bulk, in tank vehicles, from Krotz Springs, La., to points in Mississippi and Tennessee. Applicant is authorized to conduct operations in Alabama, Arkansas, Georgia, Louisiana, Mississippi, Missouri and Tennessee.

No. MC 107227 Sub 37, filed October 31, 1955, INSURED TRANSPORTERS, INC., 251 Park Street, San Leandro, Calif. Applicant's attorney Reginald L. Vaughan, Mills Tower, San Francisco 4, Calif. For authority to operate as a common carrier over irregular routes, transporting: Trucks, truck-tractors, and truck chassis, in initial movements, in truckaway service, from Portland, Oreg., to points in the United States. Applicant is authorized to conduct operations throughout the United States.

No. MC 109365 Sub 7, filed October 26, 1955, RONALD A. PATTERSON, doing business as ANTHONY & PATTERSON TRUCK LINE, P. O. Box 15, Ashdown, Arkansas. For authority to operate as a common carrier over irregular routes, transporting: Lumber from points in Louisiana within 150 miles of Ashdown. Ark., to points in Oklahoma, Texas, and Kansas. Applicant is authorized to con-Oklahoma, Texas and Kansas.

Note: The authority indicated Docket No. MC 109365, under which a Certificate is pending, will be surrendered for cancella-tion if and when a Certificate is granted under the instant application, Docket No. MC 109365 Sub 7. The authority requested in the present application is a duplication of the aforementioned authority including a 25 mile extension.

No. MC 109740 Sub 1, (corrected) published on page 8061, assue of October 26, 1955, filed October 12, 1955, JOHN E. SHERMAN, 10 Liberty St., Castile, N. Y. Applicant's attorney Samuel V Gianniny, 25 Exchange St., Rochester 14, N. Y. For authority to operate as a contract carrier over irregular routes, transporting: Building stone, rough and finished, (1) from Genesee Falls (Wyoming County) N. Y., to points in Wisconsin, Indiana, Illinois, Ohio, Michigan, Kentucky, Massachusetts, and Dela-ware: and (2) from McDermott, Fresno and Glenmont, Ohio and Bloomington and Bedford, Ind., to points in New York. Applicant is authorized to conduct irregular route operations in New York, Maryland, Pennsylvania, Connecticut and New Jersey.

No. MC 110402 Sub 2, filed October 17, 1955, RICHARD O. PREHEIM, Marion, S. Dak. Applicant's attorney H. Lauren Lewis, Wilson Terminal Bldg., P. O. Box 747, Sioux Falls, S. Dak. For authority to operate as a common carrier over irregular routes, transporting: Livestock and Poultry feed, and ingredients for livestock and poultry feed, from Sheldon, Iowa, to Marion, S. Dak. and points within 15 miles thereof. Applicant is authorized to transport mill feeds

from Sioux City, Iowa to the above-indicated destination territory.

No. MC 111435 Sub 9, filed October 17. 1955, C. & E. TRUCKING CORP., 80 Montgomery Street, Rhinebeck, N. Applicant's representative: Bert Collins, 140 Cedar Street, New York 6, N. Y. For authority to operate as a contract carner over irregular routes, transporting: Liquid sugar and invert sugar, in bull:, in tank vehicles, from Yonkers, N. Y., to points in Pennsylvania, except Philadelphia, Williamsport, Milton, Berwick, Hazleton, Kingston, Scranton, and Wilkes-Barre, Pa. Applicant is authorized to conduct operations in Maryland, New York, Pennsylvania, and Virginia.

Note: Applicant states it is not seeking supplicating authority.

No. MC 112497 Sub 40, filed August 24, 1955, published September 8, 1955, page 6597, amended October 26, 1955, HEARIN TANK LINES, INC., 6440 Rawlins Street (Box 3096, Istrouma Branch) Baton Rouge, La. For authority to operate as a common carrier, over irregular routes, transporting: Methanol, in bulk, in tank vehicles, from Sterlington, La., to points in Missouri. Applicant is authorized to conduct operations in Alabama, Florida, Georgia and Louisiana.

No. MC 113617 Sub 6, filed October 24. 1955, amended October 31, 1955, L. D. EASTER, E. M. EASTER, M. E. EASTER, L. W. EASTER, L. B. EASTER duct operations in Arkansas, Louisiana, AND M. M. MORSE, doing business as Oklahoma, Texas and Kansas.

HIGHWAY TRANSPORT COMPANY, 4051 E. 43rd Street, Des Moines, Iowa. Applicant's representative: William A. Landau, 1307 East Walnut Street, Des Moines 16, Iowa. For authority to operate as a common carrier over irregular routes, transporting: Automobiles, in mitial movements, in truckaway service, from Kenosha, Wis., to points in Arizona, California, Nevada, New Mexico, Oregon and Washington. Applicant is authorized to conduct operations in Colorado, Iowa, Kansas, Nebraska and Wisconsin.

No. MC 113861 Sub 6, filed October 31, 1955, W H. WOOTEN and J. H. PARK-ER, doing business as W. H. WOOTEN TRANSPORTS, 153 Gaston Ave., Memphis, Tenn. Applicant's attorneys: Louis I. Dailey, 2111 Sterick Building, Memphis 3, Tenn., and Richard D. Gleaves, War Memorial Museum, Nashville 3, Tenn. For authority to operate as a common carrier over irregular routes, transporting: Petroleum, and petroleum products, in bulk, in tank vehicles, (1) from Greenville, Miss. and all other points in Washington County, Miss., and those in Jesserson, and Walker Counties, Ala., to Memphis, Tenn. and all other points in Shelby County, Tenn., and those in Mississippi County, Ark., and (2) from Greenville, Miss. and all other points in Washington County, Miss., to Nashville, Tenn., Berry Field near Nashville, Tenn., and Sewart Air Force Base near Syrma, Tenn. Pursuant to order issued by this Commission on August 24, 1955 in No. MC 113861 Sub 1 et al. the applicant is authorized to conduct operations in Arkansas, and Tennessee, and is conducting operations in Alabama, Arkansas, Kentucky, Missouri, and Tennessee under

temporary authority from this Commission in No. MC 113861 Sub 3 TA.

No. MC 114227 Sub 6, filed September 6, 1955, A. BERT MEEUSEN AND CLIF-FORD RUSSELL, doing business as A & C CARRIERS, 2955 E. Laketon Avenue, Muskegon, Mich. Applicant's attorney J. David Sullivan, 207 W. Superior Street, Alma, Mich. For authority to operate as a common carrier over irregular routes. transporting: Lacquer thinner commercial solvents, and commercial thinner used in manufacturing of industrial finiches, in bulk, in tank vehicles, (1) between Grand Rapids, Mich., and points within five (5) miles thereof, on the one hand, and, on the other, points in North Carolina; and (2) from Charleston and S. Charleston, W Va., and points within five (5) miles of each to Grand Rapids, Mich., and points within five (5) miles thereof: and commercial solvents and Commercial thinner used in manufac-turing of industrial finishes, in bulk, in tank vehicles, from South Charleston, W. Va., and points within ten (10) miles thereof, to Grand Rapids, Mich. Applicant is authorized to conduct operations in Indiana and Michigan.

No. MC 115390 Sub 1, filed November 1, 1955, MAX WILLENSKY AND FAY WILLENSKY, doing business as NEW YORK DISTRIBUTING COMPANY, 50 Carnation Avenue, Floral Park, N. Y. Applicant's attorney Edward M. Alfano, 36 West 44th Street, New York, N. Y. For authority to operate as a contract carrier, over irregular routes, transporting: Sanitary pads, paper facial and cleansing tissues, wax paper, and toilet paper, and returned shipments of the named commodities, between Elizabeth, N. J., on the one hand, and, on the other, points in Rockland County, N. Y., and those in the New York, N. Y., Commercial Zone as defined by the Commission.

No. MC 115598 Sub 1, filed October 31, 1955, SHIRLEY B. GILBERT, West Bethel, Maine. Applicant's attorney William D. Pinansky, 402 Clapp Memorial Bldg., 443 Congress St., Portland, Maine. For authority to operate as a common carrier, over irregular routes, transporting: Lumber and forest products, from points in Oxford County, Maine to points in New Hampshire, Vermont, Massachusetts, Connecticut and Rhode Island.

No. MC 115630 Sub 1, filed October 28, 1955, WILLIAM MORRISSEY, doing business as BILL MORRISSEY, Shullsburg, Wis. Applicant's attorney John T. Porter, 707-708 First National Bank Building, Madison 3, Wis. For authority to operate as a contract carrier, over irregular routes, transporting: Zinc concentrate, in bulk, in dump vehicles, from points within 10 miles of Shullsburg, Wis., to LaSalle, Ill.

No. MC 115640, filed October 24, 1955, FORD CONSTRUCTION COMPANY. INC., 893 North Starr Ave., Provo, Utah. For authority to operate as a contract carrier over irregular routes, transporting: (1) Coke, in bulk, requiring specially designed equipment, from Geneva, Utah, to Georgetown and Soda Springs, Idaho, and points within 10 miles thereof, and (2) grains, phosphate rock refuse, and ferro-phosphorous, from Georgetown

and Soda Springs, Idaho, and points within 10 miles thereof to Provo and

Salt Lake City, Utah.

No. MC 115641, filed October 24, 1955, ROY JACOBSEN and W C. JACOB-SEN, a partnership, doing business as JACOBSEN BROS., 328 Mill Street, Silverton, Oreg. Applicant's attorney. John M. Hickson, Yeon Building, Portland. Oreg. For authority to operate as a contract carrier over irregular routes, transporting: Lumber from points in Multnomah, Clackamas, Polk, Marion, Douglas, Linn, Benton, Lane, Deschutes and Jefferson Counties, Oreg., to points in Idaho and Utah.

No. MC 115642, filed October 24, 1955, MISSISSIPPI DOCKS, INC., 1034 First National-Soo Line Building, Minneapolis, Minn. Applicant's attorney Donald A. Morken, Eleven Hundred First National-Soo Line Building, Minneapolis 2, Minn. For authority to operate as a common carrier over irregular routes, transporting: Coal, in bulk, from Red Wing and Winona, Minn., to points in Minnesota

and Wisconsin.

No. MC 115644, filed October 24, 1955, MICKLE MARSHALL, doing business as RAPID TRANSIT COMPANY, French Lick, Ind. For authority to operate as a contract carrier over irregular routes, transporting: Wooden skids, from the site of Paoli Box Corporation plant located approximately one mile north of Paoli, Ind., on Indiana Highway 37, to the site of General Electric Company plant located at Buechel, Ky., near Louisville, Ky., and damaged shipments on return.

No. MC 115647 filed October 27, 1955, and amended November 1, 1955, JAMES G. ROUSE, 795 South Dunham Street, Prineville, Oreg. Applicant's attorney.
John M. Hickson, Yeon Building, Portland, Oreg. For authority to operate as a contract carrier over irregular routes, transporting: Lumber (1) between points in Washington, Lake, Douglas, and Wasco Counties, Oreg., and points in Box Elder, Cache, Rich, Weber, Tooele, Davis, Morgan, Summit, Salt Lake, Utah and Wasatch Counties, Utah, and (2) from points in Ada County, Idaho, to points in Deschutes County, Oreg.

No. MC 115649 filed October 28, 1955, N. J. RADUNICH and BEN F. HAWES. a partnership, doing business as RED LINE CARRIERS, 1726 South Smith Avenue, San Jose, Calif. Applicant's attorney Frank Loughran, 155 Sansome Street, San Francisco 4, Calif. For authority to operate as a contract carrier over irregular routes, transporting: New uncrated gas stoves, from Newark, Calif., to points in Arizona, and damaged shipments on return.

No. MC 115657, filed November 1, 1955. ALAN N. CAMPBELL, 203 East Hector Street, Conshohocken, Pa. Applicant's attorney Donald J. McGonigal, 121 Fayette Street, Conshohocken, Pa. For authority to operate as a common carrier over irregular routes, transporting: Household goods as defined by the Commission, between Conshohocken, Pa., on the one hand, and, on the other, points in Delaware, New Jersey and New York.

## APPLICATIONS OF MOTOR CARRIERS OF PASSENGERS

No. MC 3647 Sub 193, filed October 25. 1955, PUBLIC SERVICE COORDI- NATED TRANSPORT, 80 Park Place, Newark, N. J. Applicant's attorney Winslow B. Ingham, Associated General Solicitor, Law Department, Public Service Coordinated Transport, Public Service Terminal, Newark 1, N. J. For authority to operate as a common carrier, over regular routes, transporting: Passengers and their baggage, and express and newspapers, in the same vehicle with passengers, within the City of Clifton, N. J. (1) from junction River Road and Delawanna Avenue over River Road to junction Entin Road, thence over Entin Road to junction Carol Street, and return over the same route, and (2) from junction Allwood Road and Bloomfield Avenue over Bloomfield Avenue to junction Brighton Avenue, thence over Brighton Avenue to the Fisher-Stevens Plant, and return over the same route. Serving all intermediate points on the above-specified routes. Applicant is authorized to conduct regular route operations in Delaware, New Jersey, New

York and Pennsylvania. No. MC 28680 Sub 8, filed October 31, 1955, JORDAN BUS COMPANY, a corporation, Jordan Terminal Bldg., 200 East Jackson Street, Hugo, Okla. For authority to operate as a common carrier over regular routes, transporting: Passengers and their baggage, and express, newspapers, and mail, in the same vehicle with passengers, between Paris, Texas, and Mt. Pleasant, Texas, over U. S. Highway 271, serving all intermediate points. Applicant is authorized to conduct operations in Arkansas, Okla-

homa and Texas.

No. MC 52813 Sub 3, filed October 17, 1955, BEN W. BICKEL, doing business as BICKEL BUS LINES, 711 Seventh, Alva, Okla. Applicant's representative: C. L. Harkness, Ransom, Kans. For authority to operate as a common carrier over a regular route transporting: Passengers and their baggage, and express, newspapers, and mail, in the same vehicle with passengers, between Conway Springs, Kans., and Medicine Lodge, Kans., from Conway Springs in a westerly direction over unnumbered county highway to, junction Kansas Highway 2. thence over Kansas Highway 2 Harper, Kans., thence over U.S. Highway 160 to Medicine Lodge, and return over the same route, serving all intermediate points. Applicant is authorized to conduct operations in Kansas and Oklahoma.

No. MC 115487, filed August 1, 1955, and amended October 28, 1955, GEORGE BELL, doing business as BELL'S BUS SERVICE, Lovers Lane, Glassboro, N. J. Applicant's attorney Harry Adler, 143 E. Commerce St., Bridgeton, N. J. For authority to operate as a common carrier over regular routes, transporting: Passengers and their baggage, and newspapers, in the same vehicle with passengers, between Ancora, N. J., and Philadelphia, Pa., beginning at the hospital at Ancora, thence southwest on Spring Garden Street to Winslow Road, thence west on Winslow Road to Malaga Road. thence south on Malaga Road to Corkey's Lane, thence west on Corkey's Lane to the Blackhorse Pike, thence northwest on the Blackhorse Pike to Main Street m Williamstown, N. J., thence northwest on Main Street to Egg Harbor Road,

thence over Egg Harbor Road to Delsea Drive (Fairview, N. J.), thence over Delsea Drive to Egg Harbor Road (New Sharon, N. J.) thence over Egg Harbor Road to Barber Avenue in Woodbury, N. J., thence over Barber Avenue to Broad Street, thence north on Broad Street to Gateway Blvd., Westville, N. J., thence over Gateway Blvd., to Broadway, Gloucester, N. J., thence north on Broadway to the New York Shipyards, thence south on Broadway to the New Packer Bridge Approach (Philadelphia-Gloucester Bridge now under construction), thence over the bridge to Broad Street, Philadelphia, Pa., thence over Broad Street to Locust Street, thence over Locust Street to Seventh Street, thence over Seventh Street to Samson Street terminal, and return over the same route, serving the intermediate points of Williamstown, Cross Keys, Hurnville, Fairview, New Sharon, Woodbury, Westville, Brooklawn, Gloucester, and Camden, N. J.

## CORRECTIONS

Docket No. MC 66562 Sub 1250, RAIL-WAY EXPRESS AGENCY, INCORPO-RATED, published on page 7406, issue of October 5, 1955. Delete from the commodity description that portion reading: "but excepting those of unusual value, household goods as defined by the Commission, commodities in bulk, and commodities requiring special equipment." The commodities sought to be transported, as corrected, reads: "General commodities, including Class A and B explosives, moving in express service,"

#### APPLICATIONS UNDER SECTION 5 AND 210a (b)

No. MC-F 5788, published in the September 29, 1954, issue of the FEDERAL REGISTER on page 6295. Application filed October 28, 1955, for temporary author-

ity under Section 210a (b)
No. MC-F 5869, published in the December 29, 1954 issue of the Federal Rec-ISTER on page 9311. By petition filed October 31, 1955, applicants propose that the authority sought to be transferred be amended in such manner that vendor will retain its terminal and service at Bradford, Pa., an intermediate point on the route between Kane, Pa., and Foster Brook, Pa.

No. MC-F 6124. Authority sought for

control by SCHWERMAN TRUCKING CO., (WISCONSIN), 620 S. 29th St., Milwaukee, Wis., of the operating rights and property of SCHWERMAN TRUCKING CO. OF ILL, INC., 620 S. 29th St., Milwaukee, Wis., and for acquisition by FRED SCHWERMAN, SR., FRED J. SCHWERMAN, RICHARD D. SCHWER MAN, and RUTH SCHWERMAN (on behalf of CARL SCHWERMAN, a minor), of control of the rights and property through the transaction. Applicant's attorney Adolph E. Solie, 715 First National Bank Bldg., Madison 3, Wis. SCHWERMAN TRUCKING CO. OF ILL., INC., is presently operating as an intrastate carrier and has applied for the following interstate authority Fuel oils, residual, in insulated tank vehicles, equipped with heater coils or other heating devices for maintaining the lading in

a free flowing condition, as a contract

carrier over irregular routes, from Peru,

Ill., and points in Illinois within 10 miles of Peru, to points in Wisconsin located on and south of the following highways; Wisconsin Highway 33 from Port Washington to Hillsboro and Wisconsin Highway 82 from Hillsboro to De Soto. SCH-WERMAN TRUCKING CO. (WISCONSIN) is authorized to operate in Indiana, Illinois, and Wisconsin. Application has not been filed for temporary authority under Section 210a(b) No. MC 115577, published in the October 26, 1955, issue of the Federal Register on page 8062, is a directly related matter.

No. MC-F 6125. Authority sought for control by MISSOURI-KANSAS-TEXAS RAILROAD COMPANY, 1506 Railway Exchange Bldg., 611 Olive St., St. Louis 1, Mo., of the operating rights and property of COORDINATED TRANSPORTA-TION COMPANY, 115-17 S. Lexington, Harrisonville, Mo. Applicant's attorney: Clarence D. Todd, 944 Washington Bldg. Operating rights sought to be controlled: General commodities, with certain exceptions including household goods, as a common carrier over regular roufes including routes between New Franklin, Mo., and Parsons, Kans., between Kansas City, Mo., and Parsons, Kans., between Parsons, Kans., and Junction City, Kans., Joplin, Mo., Muskogee and Oklahoma City, Okla., between Muskogee, Okla., and Denison, Tex., and Oklahoma City, Okla., between Dallas and Denison, Tex., and Wichita Falls, Tex., between Dallas and Fort Worth, Tex., and Waco, Tex., and between Waco and Smithville, Tex., and between San Antomo and Smithville, Tex. Applicant is a common carrier by railroad. Application has not been filed for temporary authority under section 210a (b)

No. MC-F 6126. Authority sought for purchase by A. A. O'CONNOR, doing business as O'CONNOR BROS. AND O'CONNOR BROTHERS TRUCKING COMPANY, 800 W 27th St., Odessa, Texas, of the operating rights of H. C. DANIEL, BENNY B. McCULLOUGH, and PAT M. McCULLOUGH, doing business as McCULLOUGH TRUCKING CO.. 4605 Wyoming St., Wichita Falls, Texas. Applicants' attorney Robert S. Watson, 712 Wichita National Bldg., Wichita Falls, Texas. Operating rights sought to be transferred: Oilfield commodities, as a common carrier over irregular routes, between all points in Oklahoma, and those in Texas on and west of a line beginning at the Texas-Oklahoma State line and extending along U.S. Highway

81 to San Antonio, Tex., thence along U. S. Highway 281 (old Texas Highway 66) to the Rio Grande River. Vendee is authorized to operate in New Mexico and Texas. Application has not been filed for temporary authority under Section 210a (b)

No. MC-F 6127. Authority sought for -control and merger by CONSOLIDATED FREIGHTWAYS, INC., 2029 N. W. Quimby St., Portland, Oregon, of the operating rights and property of BICE TRUCK LINES, INC., 505 E. Main St., Laurel, Montana, and for acquisition by PEERLESS, INC., LELAND JAMES, AND ERIC RENDAHL, all of Portland, E. W A. PEAKE and WANDA PEAKE, Both of Hollywood, Calif., of control of said operating rights and property through the transaction. Applicant's attorneys: White, Sutherland and Parks, 1100 Jackson Tower, Portland 5, Oregon, W S. Pilling, 2029 N. W Quimby St., Portland, Oregon, and Jerome Anderson, Electric Bldg., Billings, Mont. Operating rights sought to be controlled and merged: Petroleum and petroleum products, including casinghead gasoline and road oil, as a common carrier over regular and irregular routes, from, to and between certain points in Montana, Wyoming, and Idaho. CONSOLI-DATED FREIGHTWAYS, INC., is authorized to operate in California, Idaho, Illinois, Iowa, Minnesota, Montana, Illinois, Towa, Minnesota, Montana, Nevada, North Dakota, Oregon, Utah, Washington, Wisconsin, and Wyoming. Application has not been filed for temporary authority under Section 210a (b)

By the Commission.

[SEAL]

HAROLD D. McCoy, Secretary,

[F. R. Doc. 55-9025; Filed, Nov. 8, 1955; 8:51 a, m.]

## SECURITIES AND EXCHANGE COMMISSION

[File Nos. 54-127, 59-3, 59-12]

ELECTRIC BOND AND SHARE CO.

ORDER RELEASING JURISDICTION OVER
ADDITIONAL FEES

November 3, 1955.

The Commission having by its order of August 4, 1950 (Holding Company Act Release No. 10018), pursuant to section 11 (e) of the Public Utility Holding Company Act of 1935, approved Plan II-B of

Electric Bond and Share Company ("Bond and Share") a registered holding company, but having reserved jurisdiction over all fees and expenses incurred or to be incurred in connection with said Plan; and the District Court having approved said Plan and ordered its enforcement (In re Electric Bond and Share Company, 95 F. Supp. 492 (S. D. N. Y. 1951)) and

Claims for fees and expenses in connection with said Plan having thereafter been filed with the Commission and having been allowed in part and demed in part by the Commission in its orders of June 5, 1953 (Holding Company Act Release No. 11978) and October 27, 1954 (Holding Company Act Release No. 12691) and Simpson Thatcher & Bartlett, counsel for Bond and Share, having been allowed \$161,500 for fees and \$13,-806.94 for expenses or a total of \$175,-306.94 in connection with their services in connection with the formulation, approval and consummation of said Plan; and

Simpson, Thacher & Bartlett having filed an affidavit covering their services from October 31, 1952, to November 10, 1954, solely in connection with opposing, reducing, and negotiating with respect to, claims for fees which Bond and Share opposed or considered excessive, claiming a fee for such services in the amount of \$7,000, it being stated that approximately 318 hours were spent in the rendition of such services, that no part of such services related to the presentation of Simpson, Thacher & Bartlett's principal claim for services and expenses which has heretofore been allowed by the Commission, as above set forth, and that such additional fee is agreeable to Bond and Share; and

It appearing to the Commission that such claim for additional compensation by Simpson, Thacher & Bartlett is reasonable, that such services were a benefit to the estate of Bond and Share, and that jurisdiction in respect thereto should be released;

It is ordered. That the jurisdiction heretofore reserved be, and the same hereby is, released so as to permit the payment by Bond and Share to Simpson. Thacher & Bartlett of the sum of \$7,000.

By the Commission.

[SEAL]

ORVAL L. DuBois, Secretary.

[F. R. Dec. 55-8392; Filed, Nov. 8, 1955; 8:45 a.m.]